

A REPORTER AT LARGE

COVERUP—II

SHORTLY before 8 A.M. on Sunday, March 17, 1968, two American military commanders walked into the headquarters of the Americal Division, at Chu Lai, South Vietnam, to report one of the most shocking events of the entire Vietnamese war—the massacre by American forces of scores of Vietnamese civilians the previous day at a hamlet known as My Lai 4. Both officers—Lieutenant Colonel John L. Holladay, the commander of the 123rd Aviation Battalion, and Major Frederic W. Watke, the commanding officer of Company B of the 123rd Aviation Battalion, which was attached to the Americal—were nervous, for in addition to reporting what appeared to be a major war crime they had to tell their superiors about a serious confrontation between two American officers at My Lai 4. The confrontation occurred when a chief warrant officer in the 123rd, Hugh C. Thompson, Jr., of Atlanta, who had been piloting a helicopter during the assault on My Lai 4, landed the craft in order to rescue some of the Vietnamese civilians who had become the focus of the American attack. Thompson was met by Lieutenant William L. Calley, Jr., who was a platoon leader in Charlie Company, one of three infantry companies that made up a unit called Task Force Barker. (The task force itself was part of the 11th Light Infantry Brigade, one of three brigades in the Americal Division.) Calley bitterly protested Thompson's interference, and Thompson, for his part, ordered the two machine gunners in his helicopter to train their weapons on the Lieutenant while the civilians were being taken on board. At about the time this confrontation was taking place, Bravo Company, another of the infantry companies in Task Force Barker, was carrying out an assault on the hamlet of My Khe 4, a mile and a half to the southeast. When the day's operation was over, the two hamlets had been virtually razed and an officially estimated total of nearly four hundred Vietnamese civilians had been killed, most of them in My Lai 4. By the time the news of the task-force operation reached the American public, the next day, what was actually a large-scale atrocity had been officially transformed into a significant American victory over hostile Vietcong.

The true version of what happened in the two hamlets that day began to

emerge only a year afterward, when a former G.I. named Ronald L. Ridenhour, of Phoenix, Arizona, who had heard of the massacre while he was serving with the 11th Brigade in Vietnam, wrote a letter to President Nixon, to other top government officials, and to twenty-four members of Congress telling what he knew of the "dark and bloody" assault on My Lai 4. Gradually, as the facts about what had gone on that day came out, the Army realized that it was dealing not only with the matter of serious war crimes but also with that of widespread deceit on the part of American officers, who, for various reasons, presumably including the desire to protect their own careers, had covered up virtually all the details of the massacre. On November 24, 1969, eleven days after publication of the first press accounts of the massacre, the Army announced that it had appointed a commission, headed by Lieutenant General William R. Peers, then serving as Chief of the Office of Reserve Components, to investigate the charges of a coverup of the atrocity. Peers, fifty-seven, is now assigned as deputy commander of the Eighth United States Army, in South Korea. He had spent more than two years as a commander in Vietnam before his assignment to the My Lai 4 inquiry, serving both as commander of the 4th Infantry Division and as commander of the I Field Force in central and north-central Vietnam. Peers and his colleagues—the commission was officially known as the Department of the Army Review of the Preliminary Investigations into the My Lai Incident—began their work on November 26, 1969, and ended it nearly four months later; they recommended that charges ranging from false swearing to misprision (suppression) of a felony be placed against fourteen officers, including two generals, for their role in covering up the massacre. In all, the Peers commission interviewed four hundred witnesses, most of them at the Pentagon and about fifty of them in South Vietnam.

Two of the men who testified before General Peers were Colonel Holladay and Major Watke. One of the things that Holladay told the Peers

commission concerned his meeting, the morning after My Lai 4, with Brigadier General George H. Young, Jr., one of the assistant commanders of the Americal Division, who received both Holladay and Watke when they arrived at the division headquarters to report on what had taken place at My Lai 4. "I went into General Young's office and told him . . . that something had occurred that I felt he should know about right away," Holladay testified. "And he invited us in, that is, Major Watke and me. I turned to Major Watke, as near as I can recollect. I said, 'Go ahead, you tell General Young the same story you told me last night.' . . . He told the same story to General Young on the seventeenth that he told to me on the night of the sixteenth. And here again, the points of that conversation that stick most clearly in my memory are the fact that there was some excessive killing down there that day, the sergeant standing on the ditch, firing an M-16 or an M-60 machine gun into the ditch, into a number, a great number, many civilians, and Mr. Thompson threatening to fire upon the advancing Americans . . . Fred told the story with little or no variation . . . and General Young sat there and listened to it very attentively. . . . Again, when the portion of the story unfolded that Mr. Thompson threatened to fire on the Americans, he was visually taken aback by this and showed great concern. . . . He may have said, 'My God,' or some exclamation or revelation to that portion of the story. . . . The only specific words that I remember General Young stating that morning was 'We don't want Americans shooting Americans.' Those were his precise words."

General Young testified that he had come away from the meeting with no knowledge of any murders. "I gained the impression, General Peers, that the civilians were in a cross fire between the friendly forces and the enemy forces," Young said. "That, in an effort to save the civilians and to insure that they were not injured, the pilot landed. . . . I would say, to the best of my knowledge, there was no mention made of any noncombatant casualties. I cannot recall being informed of any noncombatant casualties." Young said that the only confrontation he was told about involved Thompson and the ground troops.

At lunchtime on March 17th, when Major General Samuel W. Koster, the





Americal Division commander, returned to his headquarters at Chu Lai from a routine inspection flight, Young took him aside to relay the report from Holladay and Watke. Koster testified that Young had explained the helicopter incident in the following manner: "The pilot had wanted to bring in some ships for evacuation of personnel, and I guess the ground commander at the time hadn't thought this was the time or the use of gunships for that mission." He said he had not been told about the murders at My Lai 4, nor had he been told that Thompson had trained his machine guns on fellow-Americans in order to evacuate Vietnamese civilians. (Yet in an earlier statement, given to the Army's Criminal Investigation Division, Koster acknowledged that he had been told by Young during the meeting that there had been some "indiscriminate shooting of Vietnamese civilians.") After hearing Young's report, Koster said, he ordered him to "find out what went on down there; interrogate the people involved and the leaders concerned and let's have the facts." Shortly after his meeting with Young, General Koster either telephoned or personally visited Lieutenant Colonel Frank A. Barker, Jr., the commander of Task Force Barker, and

asked him about the conduct of his troops. "I received no indication from him that there had been unusual firing or incidents," Koster testified.

The Peers commission posed this inevitable question to Young and—indirectly—to Koster: If the only reports presented to them concerned some civilians inadvertently killed by cross fire or by overzealous infantrymen and a pilot who became involved in a dispute while attempting—perhaps recklessly—to rescue some civilians, what had there been to investigate? What, in other words, were "the facts" that Koster wanted Young to get at? None of those incidents were specific violations of any Army regulations or of international law.

Early that Sunday morning, Chief Warrant Officer Thompson, still angry over the massacre and his confrontation with Calley, visited Father Carl E. Creswell, the Episcopal chaplain at Chu Lai, and told his story again. He came in and "sat down very upset," Father Creswell told the Peers commission. Creswell particularly recalled Thompson's angry denunciation of a "sawed-off runt of a lieutenant" who had challenged him on the ground at My Lai 4. "He . . . wanted to know what to do from that point on," Creswell said. "It

was my suggestion that he lodge an official protest in command channels and I'd do the same thing through chaplain channels." Creswell immediately went to see Lieutenant Colonel Francis R. Lewis, the Americal Division chaplain, who was his immediate superior in the chain of command. "I told him about these allegations that had been made," Creswell related. "And that I had an awful lot of confidence in Mr. Thompson and that I would—well, I'll be perfectly honest. I said that if there was not going to be an examination into these charges, I was going to resign my commission. . . ." Lewis planned to forward the complaint immediately to General Koster or his key assistants, through Lieutenant Colonel Jesmond D. Balmer, Jr., the operations officer for the Americal Division. Balmer was on leave at the time, however, so Lewis decided to wait until Balmer returned.

At Americal Division headquarters, Colonel Holladay decided to tell the division's chief of staff, Colonel Nels A. Parson, Jr., about the report he and Major Watke had made to General Young. Holladay testified that he went to Parson's office and "told him the story as Fred [Watke] had told it to me," and he continued, "I can re-

call Colonel Parson using the term 'That's murder,' and I can recall him saying, 'We're trying to win these people over and we do things like this.' . . . He was visibly and forcibly shaken up about this story."

That afternoon, General Young began the investigation that Koster had ordered by flying to Landing Zone Dottie, the headquarters for Task Force Barker. By the time General Young arrived there, much of the area to the east was shrouded in heavy smoke. Both Charlie Company and Bravo Company were continuing their search-and-destroy mission in Son My that day, burning at least six hamlets along the South China Sea coast near My Lai 1 and inland. The Peers commission investigated the weather conditions for March 17th and learned that, according to an official weather report, skies were fair, with some scattered clouds at four thousand feet; visibility was seven miles. Young acknowledged to the commission that he had probably flown over the operational area that afternoon, but he hedged when he was asked if he had seen the fires. "I possibly did see some, sir," he said. "As I said before, I don't recall it." General Young's aide at the time, Lieutenant Donald T. White, had a much clearer recollection of the area. "I remember one time there was a big operation along here, especially, because I remember there was a lot of smoke flying over the area," he told the Peers commission. "A lot of villages were burned." Specialist Fourth Class Henry E. Riddle was a door gunner aboard General Young's helicopter that day. He testified that at some point as they were flying along the South China Sea coast near Son My one of the pilots shouted, "My God, look at the fires!" Riddle continued, "I sat on the same side as the General. . . . There was a lot of smoke so I just took it . . . that it was hootches [huts] and so on burning."

At Landing Zone Dottie, Major Charles C. Calhoun, operations officer for Task Force Barker, gave Young an extensive briefing on the operation. The Major testified later that he had told the General "that sixty-nine were killed by artillery fire and that I thought that possibly some of those were civilians that had been killed by the artillery fire." Young asked him no direct questions, Calhoun testified, although the General "said something about that they were aware of some incident." The talk of artillery killings must have surprised the General; there

had been no mention of artillery at the division briefing the night before.

Sometime after his briefing at the task-force headquarters, General Young ordered Colonel Oran K. Henderson, commanding officer of the 11th Brigade, Major Watke, Colonel Barker, and Colonel Holladay to attend a meeting with him there the next morning. Whatever he had heard or seen that afternoon apparently troubled him. Lieutenant Colonel Tommy P. Trexler, the Americal Division intelligence chief, recalled that sometime that day—or perhaps early the next day, the



eighteenth—while he was flying in a helicopter with General Young, they began a private discussion on the intercom. Young was unhappy about the task force, Trexler told the Peers commission. "The main thing that stands out was [Young's] concern . . . that the people had gone beyond what he conceived was proper conduct," Trexler testified. "Units had indiscriminately burned villages and burned hootches."

In any case, by late evening of the seventeenth all the signs of a serious atrocity were present—one that might force an official investigation and, perhaps, widely publicized courts-martial, which could ruin the careers of many high officers. Over the next few weeks, the growing evidence that a massacre had taken place at My Lai 4 was either disregarded or covered up.

At nine on Monday morning, March 18th, Colonel Henderson, Colonel Barker, Colonel Holladay, and Major Watke arrived at Landing Zone Dottie for the meeting called by General Young. The five men moved, at Young's suggestion, into Barker's personal living quarters—a small house trailer a few dozen yards from the task-force operations center. Young sat on Barker's bed; the junior officers stood. Colonel Holladay later told the Peers commission, "General Young opened up the meeting . . . by saying . . . 'We are the only five that know about this.' " Holladay asked Watke to retell his story for the third time. The only person in the room who hadn't yet heard Watke's account at first hand was Henderson. Holladay and Watke agreed, in their testimony before the Peers commission, that the Major gave the same account he had given previously of the My Lai 4 confrontation between Warrant Officer Thompson and the ground troops and of the wanton shooting of civilians. Holladay recalled that Henderson did not seem surprised or shocked

by Watke's tale, and he testified that when Watke had finished Young said again, "We don't want Americans shooting Americans," and told Colonel Henderson, "I want you to investigate this and have it to me . . ." Holladay's impression was that Colonel Henderson had been given seventy-two hours to complete his inquiry, and, he said, he left the meeting convinced that Henderson had been ordered to investigate the confrontation between Thompson and Lieutenant Calley and the indiscriminate killings, although no specific directives had been given. Watke recalled that Henderson, after hearing the account, suggested that Barker be assigned to investigate it, but was told by Young, "No, I want you to look into this and render a report."

Colonel Henderson told the Peers commission, however, that he had left the meeting convinced that the Thompson confrontation was to be the crux of his investigation. "The primary point that we were talking about, or the initial point, at least, was the confrontation between United States troops, between Warrant Officer Thompson and the troops on the ground," Henderson said. He denied hearing any information at the meeting about American G.I.s' shooting indiscriminately in My Lai 4, except for the alleged shooting of a woman by Captain Ernest L. Medina, the commander of Charlie Company. He also insisted that he had not been ordered to compile a formal investigation but had been told by Young only to "look into this matter" and to report his findings.

General Young had yet a different recollection of the meeting. He testified that he had spent only a few moments in Barker's trailer, during which he had relayed a request from General Koster that the incident be investigated quickly. Young emphatically denied a statement—made only by Colonel Henderson—that he had criticized Thompson at length for his actions at My Lai 4. "I admired the Warrant Officer for the action he took, and the fact that he did what he did," Young told the Peers commission. He added that during the meeting he had asked Barker what he knew about Thompson's accusations regarding indiscriminate firing. The task-force commander "acted quite surprised and gave every assurance that there had not been any casualties resulting from his troops," Young said. "He had indicated that he had received this report, but he . . . did not actually believe what had been reported." Young maintained, despite the briefing by Major Calhoun at Landing Zone Dottie the day before, that he

had not been told at any time that "there had been civilian casualties resulting from either ground troops' engagement or helicopter engagement." Still, he said he thought the investigation that Henderson had been ordered to undertake would deal basically with the charges that civilians had been inadvertently caught in the cross fire at My Lai 4.

The conflicts over who said what and when were inevitable, given the fact that men's careers and reputations were at stake. But if Young had not learned from Watke at either of his meetings with him that there had been needless killing of civilians, the question remains: What did he ask Colonel Henderson to investigate? Shooting civilians accidentally in the heat of battle is not a war crime. At any time, too, Young could still have ordered one of the units in the Americal Division to inspect the area, and thus find out for himself—instead of relying on comments from those who had the most to lose—what had happened. Ronald Ridenhour and his 11th Brigade helicopter crew did inadvertently fly over the hamlet while they were on patrol a few days after the massacre. Ridenhour was appalled by the complete desolation at My Lai 4. "Not even a bird was singing," he told me later. "There were no people around. No signs of life anywhere."

After the meeting in Barker's trailer, Colonel Henderson, beginning his inquiry, asked Watke to send some of the complaining pilots to him for interviews. The aviators had been pulled off flight duty the day before in anticipation of the Colonel's request. Watke walked to the 123rd's operations van, three hundred yards away, and ordered Warrant Officer Thompson, Warrant Officer Jerry R. Culverhouse, who had been piloting a helicopter in support of Charlie Company, and Specialist Fourth Class Lawrence M. Colburn, one of Thompson's door gunners, to report to Henderson, who was still in Barker's personal quarters. Thompson testified before the Peers commission that he spent from

twenty to thirty minutes telling Henderson of the massacre at My Lai 4. "I told him that I had seen the captain [Medina] shoot the Vietnamese girl," Thompson recalled. "I told him about the ditches and the bodies in the ditch. . . . I told him about the sergeant saying the only way he could help them was to shoot them. . . . I told him about what I said to Lieutenant Calley. . . . I told him about how I had gotten the people out of the bunker. . . ." Thompson said that he had estimated the number of bodies in the ditch at between seventy-five and a hundred. But Henderson denied being told anything about his troops' having wantonly killed large groups of civilians. He also denied being told of a confrontation between Thompson and Calley. What he did remember, Henderson said, was a report from Thompson that a black sergeant had murdered a civilian after Thompson had marked the position with a smoke signal to indicate that there were wounded civilians in the area. Thompson also repeated the accusation about Medina's shooting of the woman. "He . . . told me that he saw a lot of dead civilians in the area," Henderson related to the Peers commission. "I recall asking him if he knew what were the results of the infantry units he had supported in this operation. And I in-

formed him what the results were, that twenty civilians had been killed and a hundred twenty-eight V.C. And he said no, he did not. I said, 'Well, that is a hell of a lot of bodies on the ground.' And he said, 'Well, yes' . . . but that the civilians that he saw on the ground were . . . not V.C., that they were old men, old women, and children."

At this point, Henderson's testimony became hard to credit. Thompson, he claimed, did not mention his dispute with Calley, and therefore, Henderson said, he did not connect the confrontation or the subsequent evacuation of civilians from the area with the reports of indiscriminate shooting. "Although it [the Calley confrontation] happened perhaps the same day or part of the same operation, I did not tie this in with the report I had from Warrant Officer Thompson," Henderson said. "I know I didn't have the full story of what went on up there. I know I didn't have a full story from Warrant Officer Thompson. I know that when he was talking to me he was in tears. . . ." By this time, Henderson had made up his mind about Thompson, he told the Peers commission: "It appeared to me that a young warrant officer who was apparently new—I didn't know this, but he appeared to be new and inexperi-



"The office phoned. Your employees have made up a pool on your temperature."

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enced; and apparently what was a fierce fire fight going on down below appeared to the warrant officer that it was an act of savagery." (Thompson had actually been with the 123rd since it was formed, in February, and had been flying support missions in Vietnam for two months before that.) Henderson said he had already received the information from Colonel Barker about the "fierce fire fight," and he had been told that the only persons killed by Charlie Company that day were Vietcong and a few civilians.

On the other hand, Henderson was immediately provided with details of the extent of the massacre by Culverhouse and Colburn, who saw him after Thompson did. Warrant Officer Culverhouse, who had seen more than a hundred bodies at My Lai 4, testified that Henderson seemed most interested in determining whether a black sergeant had been firing into a ditch. "He asked me how I could say that it was a colored soldier and that he was an N.C.O.," Culverhouse said. "I told him that we were making very low passes over the village and not really all that fast. . . . I told him that there was no doubt in my mind that the individual was colored [and] . . . that I could definitely see chevrons above his rolled-up sleeves." Culverhouse said he had described the bloody ditches full of dead Vietnamese in some detail for Henderson. Specialist Fourth Class Colburn, Thompson's door gunner, similarly recalled telling the Colonel about the ditch, and said he had estimated the number of bodies at from sixty to seventy. He also described Thompson's landing and his evacuation of the civilians. Henderson, however, repeatedly denied any recollection of the two men and his talks with them, although the Peers commission established that the interviews had taken place, in Barker's trailer, shortly after the morning meeting on March 18th.

After lunch, Colonel Henderson flew out to see Captain Medina, taking along Lieutenant Colonel Richard K. Blackledge, the brigade's intelligence officer. Charlie Company had completed its mission by noon that day, and was waiting for helicopters to airlift the men back to their quarters, at Landing Zone Dottie. Henderson landed near a potato field, and moved a few dozen yards away with Medina and some staff members. The men talked while flattened on the ground as a precaution against enemy snipers. "I told him [Medina] I had a very serious report from a pilot who was flying over the operation on the sixteenth," Henderson told the Peers commission. "There had

Wild with ego, wild with world-blame,
He stared at the up-heave and enormity of ocean.
He said: *It does not even know my name.*

Wild with ego, wild with grief,
He stared at the antic, small aphid green on the green leaf.
He said: *It has a home—but I, I'm the lost one.*

Wild with ego, wild with despair,
He stared at the icy and paranoid glitter of stars in winter.
He said: *They would grind me like grain, small as dust, and not care.*

Wild with ego, wild with weeping,
He stared at the classic, shut eyelids of his true love sleeping.
He said: *She sleeps, and the wild boar gashes my groin.*

Wild with ego, wild with wrong,
He stared into the dark pit of self whence all had sprung.
He said: *What is man that I should be mindful of him!*

—ROBERT PENN WARREN

been possibly indiscriminate killing of civilians, and specifically a captain had been identified shooting a woman. And I remember saying, 'Dammit, Ernie, I want the truth from this, was that you?' " According to Henderson, Medina's initial response dealt with the killing of the woman seen by Thompson, and "it was almost step for step what the Warrant Officer [Thompson] had relayed to me, the only difference being the hand movement that Medina had seen out of the corner of his eye as he was moving away from the wounded woman, who he had earlier assumed [was] dead." Henderson continued, "I then asked him about any killing of civilians that his troops could be involved in that he couldn't have seen. He said he had had no such report from his platoon leaders, and he was certain he would have if it had happened. . . . I asked Captain Medina how he determined the number [of civilians] killed and he said they were reported by his platoon leaders as they came upon these bodies while moving through the area. And I asked him if all of them had been killed by artillery and by gunships and he said yes." Any other answer to that question would have contradicted the reports that had already been forwarded to higher headquarters.

After his visit to Medina, Henderson returned to Landing Zone Dottie

to wait for the return of Charlie Company. The Colonel told the Peers commission that when the first group of G.I.s climbed out of the helicopter, he continued his investigation. "I walked up to them and grabbed the first N.C.O., whom I do not know, but told him, 'Just hold these people here, I'd like to talk to them for a moment.' . . . I started talking to this group of individuals—thirty to forty individuals. . . . So I told them . . . they had done a damn fine job and that I was their new brigade commander and appreciated the fine job they had done for the brigade. I also told them that I had heard a report that we had injured and killed some noncombatants; that this was an unsubstantiated report; that, if true, it would certainly discolor the fine record that they had. I spoke along this vein for a few moments . . . and then I asked them in a group, 'Does anybody here, does any individual, any of you observe any acts against noncombatants, any wild shooting? Did any of you, or do you have knowledge of anybody killing any civilians during this operation?' And I got silence. I then pointed to three or four individuals and I don't think they had name tags on, but I identified the man and I believe said, 'How about you?' . . . I got back from the first individual a loud response, 'No, sir.' And I pointed to three or four individuals and in each case I got back a loud and clear 'No, sir.' The men had their heads high. There was nobody trying to ignore my eyes. I looked at every individual there. They seemed to be in good spirits. They didn't appear to me to be a bunch of soldiers who had just gone out and shot up the countryside and killed a



bunch of women and children."

Obviously, no G.I. would admit to mass murder under those conditions; in interviews with me in late 1969 and early 1970, many of the Charlie Company men belittled Colonel Henderson's efforts on March 18th. And, contrary to Henderson's recollection, many soldiers described the meeting as an occasion of foot-shuffling and head-averting. "Some colonel came up and asked me if there was anything unusual going on in the village," said Isaiah Cowen, a sergeant in Calley's platoon. "I said, 'No comment,' and he passed on." Jay A. Buchanan, a second-platoon sergeant, had a recollection of Henderson's remarks that was strikingly different from Henderson's own recollection. "Well, he [Henderson] said, 'You're back off this operation,'" he told the Peers commission. "'Do you think the V.C. will be happy with this operation?' And he said, 'Do you think it will leave the impression that when they see the American soldier they will say, 'Here comes my buddy, he is here to help me.''" And he looked at me and said, 'What do you think, Sergeant?' I said, 'I have no comment, sir.'... I didn't say anything else.... He said, 'We're here to protect the people from the evils of Communism,' and he said, 'I want that known,' or something like that. He didn't ask any further questions from me."

By late afternoon, Henderson's investigation had run from a battlefield captain down through a number of enlisted men, with a common denominator that the investigations would continue to have for the next two months: every denial was accepted at face value.

ON Tuesday, March 19th, Colonel Henderson gave General Young an oral report of his investigation of what had happened at My Lai 4. The Colonel assured Young that Thompson's report of indiscriminate killing was incorrect. "I believe I told General Young that the only way that I could rationalize or understand what he [Thompson] had reported to have seen as opposed to what my troops and what other people had told me had occurred



"Heminway, I think I speak for the rest of Maturity Village when I say I wish to hell you'd stop saying 'By cracky.'"

may have been as a result of his recent assignment," Henderson related to the Peers commission. "And I was under the impression that he had not been with the 123rd very long."

On the next day, Henderson told the Peers commission, he went to Chu Lai to pass along the results of his investigation to General Koster. He began his presentation by showing Koster a three-by-five-inch filing card, prepared by Colonel Barker, that purported to list the circumstances surrounding each of the twenty alleged civilian casualties, together with the victim's sex and approximate age. Barker had given Henderson the card on the morning of the seventeenth, Henderson testified. (Medina had told Henderson two days earlier that twenty to twenty-eight civilians had been inadvertently slain at My Lai 4. Henderson told the Peers commission that he cleared up the discrepancy by asking Barker about it: "...when I questioned Colonel Barker [about] this, he informed me that they had added, that Medina had added, the six to eight that I had observed [while overflying the hamlet] which were being counted twice and that in reality it was twenty.") Koster expressed annoyance. "I can't recall his exact words," Henderson told the Peers commission. He added that the General had said something like "Damn it! This is just thoroughly unacceptable, and we've got to provide in

our plans so this doesn't happen anymore." Henderson continued, "I went into what Thompson reported to me ... I did report to him that the machine-gun confrontation problem had apparently been whipped or put to bed, that the rapport between Major Watke and Colonel Barker was going well. ... I told him that I had talked to Captain Medina. Captain Medina had been able to satisfy one aspect of this to my satisfaction ... I told him [Koster] that I had observed personally only the six to eight bodies that I had reported to him previously in the area ... Warrant Officer Thompson was the only individual that I placed as having observed [an atrocity] in that area." At this point, Henderson testified, Koster said that he had heard about the Thompson confrontation from General Young and "that he would discuss this with General Young further." Henderson continued, "...and he indicated to me, in sort of a disinterested way ... that he didn't believe it was that important to find out how these twenty may have been killed. I did not open the issue that there might have been more than twenty within the area." That was the last word he heard about My Lai 4 for two weeks, he said.

Later, General Koster and General Young each claimed that the other had had the major responsibility for dealing with the results of Henderson's investigation. Young acknowledged that he

had had many discussions with Henderson in late March and early April, but only to determine the status of the report he thought Henderson was preparing at the order of General Koster. His role, he indicated, was that of a liaison man between Henderson and Koster. "I never got the impression that I was to supervise the conduct of the investigation," Young told the Peers commission, "... and I did not get the interpretation that I was involved as deeply as Colonel Henderson or General Koster was." He testified that he did not specifically recall receiving Henderson's oral report on March 19th, nor did he recall suggesting that Henderson bring his findings to the attention of Koster.

Koster's recollection diverged sharply from General Young's. In his eyes, Young was responsible for overseeing the investigation, and he, as commanding general, was totally reliant on his assistant's reports. Koster, though his testimony was vague, claimed that the first report on the My Lai 4 incident came not from Henderson on March 20th but from Young, who said that Colonel Henderson had found some discrepancies in Thompson's story. He said that he then told General Young to follow through with the investigation. At no time, Koster said, was there any hint that many more than twenty civilians had been killed. In any case, neither General Koster nor General Young made any attempt to investigate any aspect of the charges personally but, instead, permitted Colonel Henderson to conduct an inquiry within his own unit. Nor did either of them offer Henderson any staff help for the study, although the new brigade commander was known to be woefully short of headquarters personnel.

In testimony before the Peers commission, Colonel Henderson recalled that in early April Young asked him to put his oral report—the one presented March 20th—in writing. General Young, he said, approached him ten days or two weeks after receiving the oral report and "advised me that General Koster wanted my report in writing." He went on, "I recall very vividly asking General Young, 'Has there been some new development or is there something I do not know about?' He stated, 'No, there is nothing new developing. General Koster wants it for the record.'" Henderson then wrote his report and delivered it to General Koster's headquarters.

Henderson, Young, and Koster again disagreed about what happened at

this point. Neither Koster nor Young recalled either seeing the written report or telling Henderson to prepare it. Young, however, did remember "seeing Colonel Henderson in General Koster's office several days after I had been told he had made his oral report and he had a paper with him..." Koster recalled receiving a report in writing, but not until May. The Peers commission spent many hours trying to establish the timing and the contents of the early-April report—not because of its intrinsic value but because the investigators were operating in the dark. The reports and documents dealing with My Lai 4 and its aftermath, including investigations and after-action summaries, and copies of such

reports, should have been on file at brigade and division headquarters, but all but two of them had vanished.

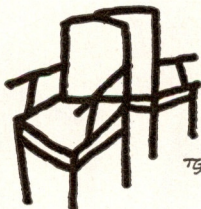
IN the weeks immediately after My Lai 4, Charlie Company virtually collapsed. "I think after a while everybody was pretty well ashamed of it, you know, because so many what they term 'innocent people' were killed," former Specialist Fourth Class Frank D. Beardslee, who served as a driver for Colonel Barker, told the Peers commission. By mid-April, Task Force Barker had been routinely disbanded, Lieutenant Calley had been relieved as leader of the first platoon of Charlie Company, and Captain Medina was getting ready to take over a brigade staff job. Major Harry P. Kissinger III, the assistant chaplain of the 11th Brigade, spent a few days near Charlie Company shortly after the Son My operation. Kissinger explained to the Peers commission that, knowing how highly company commanders value a large body count, "I said congratulations" to Medina for the hundred twenty-eight Vietcong that his men had helped kill. "I proceeded to ask about it, but I didn't get too much response," he said. "I can't remember any details of what he told me except a little nod, and, 'Yes, it was so,' or something like that. ... I did not receive the impression that he was proud. ... I proceeded to ask someone about it and didn't get too much of an answer. I just felt that he didn't want to talk about it and left it hang, didn't say any more." As an afterthought, the chaplain noted that he had stayed overnight in the field with the men, even going on a patrol. "Nothing was ever said to me by any of the men," Kissinger said. "I talked to a number of them there, and you'd think that someone would say some-

thing to the chaplain if there was anyone's conscience bothering them."

Yet within ten days one G.I. told Captain Maurice E. Vorhies, then serving in the provost marshal's office at Americal Division headquarters, about My Lai 4. Vorhies quickly learned that the story of My Lai 4 had already spread throughout the division; he also learned that no one intended to do anything about it. Captain Vorhies began asking questions at the 11th Brigade headquarters, in Duc Pho, and found that Charlie Company's high body count and low weapons report were "almost a joke." Later, he wrote in a private letter that was made available to me, he discussed the incident with an agent of the Army's Criminal Investigation Division. "He told me that he had heard rumors of the incident on 16 March and other incidents involving C Co... He informed me that he intended to investigate the matters. However, when I next spoke with him sometime later, he told me that he had been told by someone to 'forget about it.' To the best of my knowledge he did not actually conduct an investigation." After that, Vorhies discussed the accusation with some officers around Chu Lai but the discussion gradually drifted into other matters. "Quite frankly, it was not that extraordinary," he wrote. "This was neither the first nor the last story I was to hear of alleged atrocities. It was unusual only by its magnitude."

Some details of the massacre at My Lai 4 quickly became known throughout the 11th Brigade and the Americal Division. Some of the G.I.s who did not participate in or witness the massacre enjoyed gossiping about it. Lieutenant Colonel Charles Anistranski, the Americal Division's pacification-and-civil-affairs officer, told the Peers commission, "There was a lot of talk... near the end of March. ... G.I.s were talking in the mess halls... When we walked by the division headquarters, by the chapel... we could hear people talking about it. But it was all done very jokingly: 'Hey, did ya hear about this? Hey, did ya hear about that?'" On a few occasions, the officer said, he also heard Lieutenant Calley and a sergeant mentioned around headquarters. "Surprisingly, none of the commissioned personnel talked about it, none of the general-staff members, at the mess or at any other place," Anistranski added.

The concern over loose talk and the obvious fear that existed of a career-ruining scandal among most of the senior officers were confirmed by the experiences of Colonel Lewis, the Americal Division chaplain, who attempted during the next few weeks to



discuss Father Creswell's report of an atrocity with the top officers in the division. Lewis took up the matter first with Colonel Balmer, the operations officer for the division. "I told Balmer that I had heard some pretty bad things," Colonel Lewis told the Peers commission, "... and he said he had, too, and that this was going to be thoroughly investigated." After his first visit to Balmer, Lewis said, he brought up the subject of the investigation with Colonel Parson, the Americal's chief of staff. "I said, 'I wonder what's the situation on My Lai, and I'd like to talk to General Koster about it,' or words to this effect," Lewis testified. "He said, 'Well, it's being investigated and we're not to talk about it.' In other words, he put me off in seeing the General on this." The chaplain had then turned to Colonel Anistranski. Anistranski cautioned him not to talk about it, and so did other officials at headquarters.

FOR all the seeming lack of information within the Americal Division, details about the murders at My Lai 4 and My Khe 4 reached South Vietnamese government officials in Son Tinh District and Quang Ngai Province in less than three days. The first word came from survivors in both hamlets—sources who were never interrogated by the officers of the 11th Brigade or the Americal Division. Do Dinh Luyen, the government's village chief for Son My, told the Peers commission that he had first heard of the shootings from survivors of My Lai 4 who straggled into the city of Quang Ngai during the afternoon of March 16th. A few days later, he heard that hundreds of people had been killed in My Lai 4 and My Khe 4. "I heard they were killed by artillery, gunships, and small-arms fire during the battle to enter the village..." Luyen testified, through a translator. He relayed his information orally to Lieutenant Tran Ngoc Tan, the chief of Son Tinh District, who was his immediate superior. Reporting American atrocities was no way to get ahead in the Vietnamese Army in 1968, but Tan was in the midst of a long-standing feud with his

counterpart, Major David C. Gavin, the senior American adviser in Son Tinh, and he was offended because he had not been informed in advance of Task Force Barker's operation. On March 22nd, six days after the atrocity, the Lieutenant relayed the substance of the village chief's report to his Vietnamese superiors at Quang Ngai Province headquarters. The message claimed that four hundred and eighty civilians had been killed at My Lai 4 and ninety at My Khe 4. "Besides persons killed, animals, property, and houses were ninety per cent destroyed," the report said. It further listed Vietcong casualties at forty-eight killed and fifty-two wounded. This was the first time that any report on My Lai 4—American or Vietnamese—had indicated that Vietcong had been wounded.

On March 28th, Lieutenant Tan received more information in a letter from Do Dinh Luyen. Again Tan forwarded a report to provincial head-

quarters, and he sent copies to the intelligence and operations advisory staff of the 2nd Division of the Army of the Republic of Vietnam, which was stationed in the city. The document was entitled "Confirmation of Allied Troops' Shooting at the Residents of Tu Cung Hamlet." (Tu Cung is the name that the Vietcong use for the immediate area of My Lai 4.) The report claimed that Vietcong units had initiated the gunfire at My Lai 4. Lieutenant Tan said that he discussed the allegation, before forwarding it, with Major Gavin, the district adviser, and Captain Angel M. Rodriguez, Gavin's assistant. Rodriguez later testified that he had got the impression that "since it was V.C. and that was a V.C. chief, the one who reported it, well, it was taken as propaganda rather than any other thing." At that point, a member of the Peers commission reminded him that Luyen was a government official.

The Vietnamese investigation might



"How would you feel if they bused you clear across town to another bar?"

have ended with Tan's second report, except that Do Dinh Luyen decided to forward to Tan a list of the known dead at the two hamlets. More than four hundred and forty names were on the list. A few days later, a committee of the National Liberation Front operating out of Quang Ngai Province began circulating three-page leaflets about the murders, filled with precise details—rare for such propaganda notices. The document did contain errors—the wrong Army division was accused of the assault on Son My—but over all it was amazingly accurate, and was obviously based on interviews with survivors. A similarly well-detailed broadcast by the National Liberation Front was monitored and translated at a radio listening outpost in the city of Quang Ngai.

By early April, many Vietnamese officers in Quang Ngai Province knew of the two reports from the Son Tinh district chief, and also of the Vietcong propaganda broadcast and the leaflet, which confirmed what they had learned from their own sources. But only a few Americans shared that knowledge, largely because the Vietnamese kept what they knew to themselves. It is difficult to understand why such a specific allegation, involving an American unit and the slaughter of more than four hundred civilians, was not shared throughout the advisory system or why the Vietnamese did not demand an immediate investigation. One possible explanation lies in a flaw in the basic assumptions behind the advisory system itself—that American military men and civilians can work closely and harmoniously with Vietnamese on an equal basis. In Quang Ngai Province, at least, the system did not work. There were actually two advisory teams in the province in April, 1968. The first was a mixed group of military officers and civilians—most of them from the State Department—who served as overall advisers for civilian problems, including pacification and security. James A. May, a State Department foreign-service officer now

stationed in Somalia, was the senior province adviser. The second team consisted of perhaps a dozen American officers who were separately assigned as direct advisers to the ARVN 2nd Division, which had its headquarters in the area. The efficacy of the system depended on the relationship between each senior adviser and his Vietnamese counterpart. May's counterpart, for example, was the province chief, Lieutenant Colonel Ton That Khien. Theoretically, the American and Vietnamese counterparts were to establish close personal and working relationships with each other, but Vietnamese military officers found themselves in a frustrating situation: their careers depended in some degree on how well they got along with their counterparts, yet they were aware that most of the Americans had a low opinion of them. Many Vietnamese officers, apparently, decided to solve the problem by hiding their feelings—and any disturbing information—from their counterparts. The American officers who were assigned either to the provincial advisory team or to the ARVN 2nd Division told the Peers commission that they had not heard of the atrocity allegations, and expressed amazement when they were told that their Vietnamese counter-

parts had written memorandums on the subject.

ON April 11th, Lieutenant Tan sent a third written report to Colonel Khien, the province chief, and this came closer than his first two statements to describing what had actually happened at My Lai 4 and My Khe 4. The document, which was given a high Vietnamese classification, began, "On March 16, 1968, an American Army unit conducted a mopping-up operation at Tu Cung and Co Luy hamlets of Son My village, Son Tinh District. At about ten o'clock on the above day, the American unit encountered a V.C. mine and received fire from Tu Cung hamlet. One American soldier was killed and a number of others wounded.

"In response, the operational forces attacked the village, assembled the people, and shot and killed more than four hundred people at Tu Cung hamlet and ninety more people in Co Luy hamlet of Son My village. While the V.C. were withdrawing from the hamlet, forty-eight V.C. and more than fifty-two guerrillas and self-defense soldiers were wounded by helicopter gunships. Tu Cung and Co Luy are two areas of Son My village that have long been held by the V.C. The district

forces lack the capability of entering the area. Therefore, Allied units frequently conduct mop-up operations and bombing attacks freely in the area. But the basic position of the report of the Son My village committee is that although the V.C. cannot be held blameless for their actions in the 16 March 1968 operation, the Americans in anger killed too many civilians. Only one American was killed by the V.C.; however, the Allies killed nearly five hundred civilians in retaliation." Lieutenant Tan added this comment: "Really an atrocious attitude if it cannot be called an act of insane violence. Request you intervene on behalf of the people."

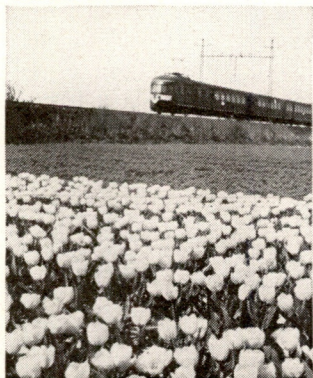
Tan's outspoken accusation—an exceptionally harsh criticism for a Vietnamese to make of an American unit—was included in



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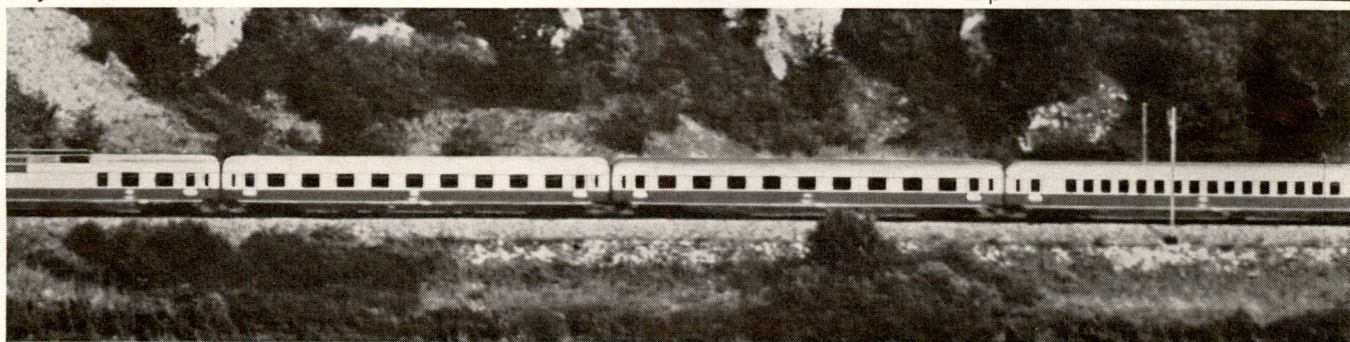
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copies of the report he sent to the ARVN 2nd Division and to the office of Lieutenant Colonel William D. Guinn, the deputy adviser for military affairs in Quang Ngai Province. As for Colonel Khien, he took no immediate action beyond discussing the matter with Guinn, with whom he had developed some rapport. Colonel Nguyen Van Toan, the ARVN 2nd Division commander, was similarly reluctant to pursue an investigation, but he was confronted with a staff memorandum, and he was compelled to take some action. His response was to pass the buck back to Colonel Khien, who was eager to write off the allegations as Vietcong propaganda. Toan scrawled the following at the bottom of his copy of Tan's report: "If this is true, link up with the Americal Division to have this stopped." Predictably, the issue was simply left there.

Another reaction to Tan's third report involved the Americans. A day or two after the report was filed, Captain Rodriguez—temporarily in charge of the Son Tinh district headquarters because Major Gavin had taken a week's leave—was ordered to look into the complaint and file a report on it. Rodriguez began his inquiry by discussing the allegations with Tan, he told the commission, and asserted, "If I recall, he didn't pay much attention to this, because of the fact that he said this was just plain propaganda. . . . In my mind, I never actually figured that an American soldier, the way we are trained, would do something like this." He assumed, he said, that his subsequent report was received by Colonel Guinn. That report, dated April 14th, summarized Tan's third report and added this comment: "The letter was not given much importance by the district chief [Tan] but it was sent to the Quang Ngai province chief. . . . The district chief is not certain of the information received and he has to depend on the word of the village chief and other people living in the area."

Within the next seven days, Rodriguez's report and a copy of the Vietcong propaganda leaflet about the atrocities somehow ended up together in the hands of Colonel Henderson and General Koster instead of being forwarded to Charles T. Cross, the deputy ambassador for pacification in the I Corps region, which included Quang Ngai Province. The Peers commission was never able to determine how the documents got to the Americal Division offices, but it is possible that the key role may have been played by Colonel

Guinn. One of the commission's attorneys hinted that Guinn's hopes of becoming a battalion commander might have affected his conduct in the My Lai 4 investigation.

THE first official contact between a Vietnamese officer and the Americal Division in connection with the events at My Lai 4 was made by Colonel Toan, who eventually decided to talk with his counterpart about the allegations in Tan's third report. (He was one of the few Vietnamese to do so.) Toan told the Peers commission that he had telephoned General Koster shortly after receiving the third report, to "let him know about some rumor." Colonel Toan also testified that he told Koster about having ordered Khien to make an investigation. What Toan considered to be mere propaganda at best or, at worst, something to cover up was taken far more seriously by the Americal Division commander, who had perhaps thought that Henderson's oral report of March 20th had closed the incident. Koster flew almost immediately to the city of Quang Ngai to see Toan. Before going into Toan's office, Koster said, he had paid a visit to the province chief, Colonel Khien, and had been assured that Khien considered Lieutenant Tan's reports from Son Tinh District to be based on Vietcong propaganda. Koster then walked over to Toan's office. "I really went there to see if he felt there was anything to this; if he was concerned about it; if he had a Vietnamese source that had been able to uncover anything that we hadn't or that U.S. investigators hadn't been able to check out," Koster told the Peers commission.

General Koster testified that he at no time thought that he was investigating a war crime, despite the specific allegations accusing American troops of the slaughter of more than four hundred Vietnamese civilians. "I considered those [allegations to be] emanating from a Vietcong source and a propaganda type document," Koster explained. The General's testimony to the Peers commission about his view of the new evidence contrasted sharply with his actions, according to one witness. Within a week after his visit to Toan, Koster sent directly to Colonel Henderson a private, "eyes only" letter demanding that he investigate the Vietnamese allegations. Enclosed was a copy of Lieutenant Tan's third report that had somehow come into his possession. The existence of the letter was revealed to the Peers commission by

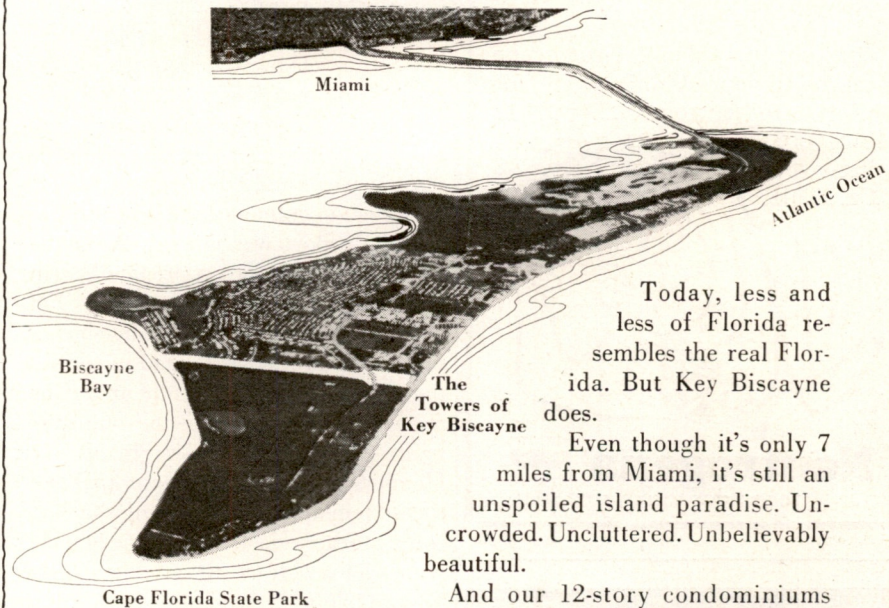


Robert K. Gerberding, the intelligence sergeant for the 11th Brigade. Gerberding said that the letter, which arrived about April 20th, was written on Americal Division stationery and specifically called on Henderson to complete an in-depth investigation. The Sergeant was shown a copy of Tan's report and identified it as the one that was enclosed with Koster's letter.

General Koster did not recall sending the letter. He initially told the Peers commission, "It seems to me that I directed him [Henderson] to do something about it [the Vietnamese report]... but I don't specifically remember it being in writing or how it went or the sequence of it." Later, he suggested, "I was not inclined to write personal notes like that." (A few days earlier, Colonel Parson had testified that he saw a Vietnamese letter or report about My Lai 4 in Koster's office.) The General went so far as to declare, after being confronted with Gerberding's testimony, that he had never seen Tan's third report—one of the few direct contradictions that emerged from the testimony. Koster further claimed, however, that he did not recall obtaining any information from the Vietnamese "until, on my own instigation, I went around and talked to them." Koster, Toan, and Khien all agreed in their testimony before the Peers commission that no documents had been exchanged during their meetings—a statement that raised an obvious and important question. If, as Gerberding testified, Koster did send a letter to Henderson with a copy of Tan's report enclosed, where did he get it? One possible answer, based on my own research, was that Tan's report was transmitted to Koster by Colonel Anistranski, the pacification-and-civil-affairs officer for the division, who noted during an interview with me that he had been instructed by Colonel Guinn at this time to deliver an "eyes only" envelope to the General from Quang Ngai provincial headquarters. When Koster was asked specifically by General Peers if Guinn could have given him a copy of the Tan report, he again spoke vaguely but indicated that he did not think so. "I can't say how all this first came to our attention, but I wouldn't have put myself in the channel of communication for Colonel Guinn to go through," he testified. The General added, however, "I think he would have kept us informed of what was going on in the province."

Colonel Henderson, for his part, denied any knowledge of Koster's letter ordering him to file a report. "I am positive that I received no letter from

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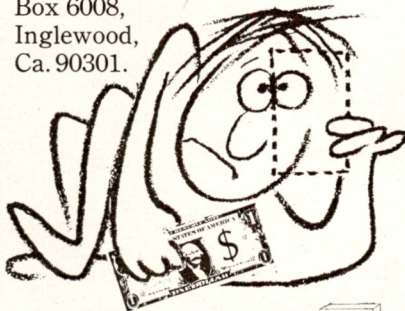
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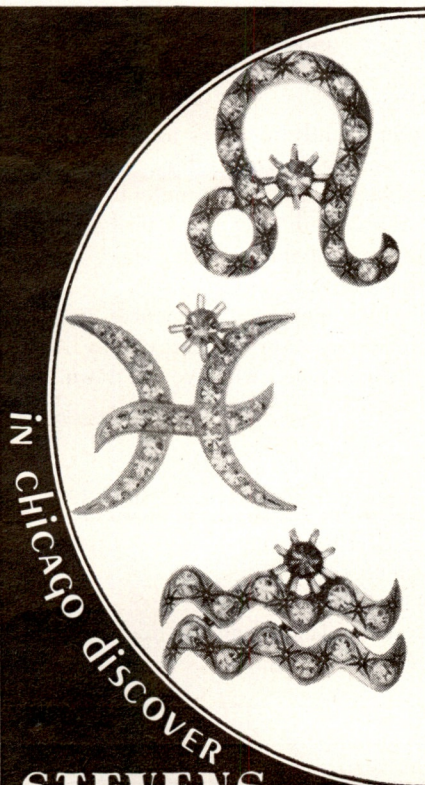
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General Koster," he told the Peers commission. Despite Gerberding's testimony, Henderson also denied ever seeing Tan's third report. But he had begun asking questions about the Son My incidents again. Why? Henderson explained that he had done so not because of a letter from Koster but because he had received a mysterious and unsigned statement referring to an allegation that American troops had slaughtered more than four hundred civilians. Henderson said that the statement indicated that Lieutenant Tan, the Son Tinh district chief, did not give the allegation much importance. The Colonel attached the document, without comment or explanation, to his resulting report to Koster.

The origin of the statement became a major concern of the Peers commission; it was finally determined that the unsigned document attached to Henderson's report was nothing more than a copy of the refutation prepared earlier by Captain Rodriguez, of Son Tinh district headquarters. Henderson insisted, however, that he had never seen the Captain's initial document but had received his statement—the one eventually given to Koster—from his staff. Henderson said at one point that both the statement and a copy of the Vietcong propaganda leaflet about Son My were delivered to his intelligence officer, Colonel Blackledge. "I do not know how he got the report," Henderson said. He added that his staff had sent copies of both documents to division headquarters for perusal.

Within two days of the mysterious receipt of the statement and the propaganda leaflet, the Colonel said, he decided—just as Koster had done earlier—to visit Colonel Toan at the ARVN 2nd Division headquarters. As Henderson recounted it, he showed Toan the leaflet and told the Vietnamese officer that "I was very much interested in this thing and that when he looked into this I would make available to him a battalion or any number of troops to go into this area..." Toan assured him that the leaflet was simply propaganda.

Two or three days after his visit, Henderson said, "General Young came down and said General Koster wants you to—and it was not to make an investigation because I specifically asked: 'Does he want this open again and a formal investigation?' and General Young said, 'No. This paper you sent up, this V.C. propaganda message, has tripped his memory here a little bit, and he just wants some backup in the files here if anything further should develop on the matter. So provide him with a written report.'" At this point, Hen-

derson said, he sat down and wrote a report, relying on notes taken during his interviews the month before—when only Warrant Officer Thompson's confrontation with ground troops and the allegations of wild shootings were being investigated.

Many witnesses contradicted one aspect or another of Henderson's testimony. General Young testified that he had no recollection of a conversation in late April with Henderson about a written report. Colonel Blackledge testified that his office had relayed to Colonel Henderson not the Rodriguez statement nor a Vietcong propaganda leaflet but only some preliminary and incomplete allegations of an atrocity that were being disseminated by the Vietcong. Blackledge added that he knew nothing about the origin of the Rodriguez statement. And Henderson himself finally acknowledged that he really did not know how or from where he received the information.

Henderson's subsequent report to General Koster, dated April 24th, included two enclosures: the Vietcong propaganda leaflet and the Rodriguez report, which was shorn of its signature but retained its date, April 14th. The Rodriguez document was attached to Henderson's report under the simple heading "Statement." Henderson's classified report, addressed to the commanding general, Americal Division, said, in part:

1. An investigation has been conducted of allegations cited in inclosure 1 [the Rodriguez statement]. The following are the results of this investigation.
2. On the day in question, 16 March 1968... Task Force Barker, 11th Inf Bge, conducted a combat air assault in the vicinity of My Lai hamlet (Son My village) in eastern Son Tinh District. This area has long been an enemy stronghold and Task Force Barker had met heavy enemy opposition in this area on 12 and 23 February 1968. All persons living in this area are considered to be VC or VC sympathizers by the District Chief. Artillery and gunship preparatory fires were placed on the landing zones used by the two companies. Upon landing and during their advance on the enemy positions, the attacking forces were supported by gunships... By 1500 all enemy resistance had ceased and the remaining enemy forces had withdrawn. The results of this operation were 128 VC KIA. During preparatory fires and the ground action by the attacking companies 20 non-combatants caught in the battle area were killed. U.S. forces suffered 2 KHA [killed by hostile action] and 10 WHA [wounded by hostile action] by booby traps and 1 man slightly wounded in the foot by small arms fire... Interviews [here Henderson listed only Colonel Barker, Major Calhoun, Captain Medina, and the commander of Bravo Company, Captain Earl R. Michles] revealed that at no time were any civilians gathered together and killed

by U.S. soldiers. The civilian habitants in the area began withdrawing to the southwest as soon as the operation began and within the first hour and a half all visible civilians had cleared the area of operations.

3. The Son Tinh district chief does not give the allegations any importance and he pointed out that the two hamlets where the incident is alleged to have happened are in an area controlled by the VC since 1964. Col. Toan... reported that the making of such allegations against U.S. forces is a common technique of the VC propaganda machine. Inclosure 2 is a translation of an actual VC propaganda message targeted at the ARVN soldier and urging him to shoot Americans. This message was given to this headquarters by the CO, 2nd ARVN Division [Toan], on about 17 April 1968... It makes the same allegations as made by the Son My village chief in addition to other claims of atrocities by American soldiers.

4. It is concluded that 20 non-combatants were inadvertently killed when caught in the area of preparatory fires and in the crossfires of the U.S. and VC forces on 16 March 1968. It is further concluded that no civilians were gathered together and shot by U.S. soldiers. The allegation that U.S. forces shot and killed 450-500 civilians is obviously a Vietcong propaganda move to discredit the United States in the eyes of the Vietnamese people in general and the ARVN soldier in particular.

The report, signed by Henderson, obviously relied heavily on Colonel Barker's report of the action. The original typed copy was placed in a double-sealed envelope marked "Eyes of the CG [commanding general] Only" and sent by courier to division headquarters, at Chu Lai. Only one copy was kept at brigade headquarters, according to Sergeant Gerberding, who was in charge of filing it, and that copy was handled on a "close hold" basis. "I kept this in what I called my personal or confidential file," the Sergeant testified. Gerberding's personal file was in his desk, where, he said, "I kept things I didn't want anybody else to see." The Army later found the carbon file copy in Gerberding's safe, where someone had moved it; it was the only existing record of any investigation in connection with My Lai 4. The file copy was initialled "RKB," for Richard K. Blackledge, and its existence enabled the Peers commission to confront Blackledge with documented evidence that contradicted his testimony. (The lack of records prevented the investigators from directly challenging the many witnesses who simply could not recall a fact or said they were not sure what had happened.) Blackledge, by then retired and living near Honolulu, was asked if he had ever seen the Henderson report prior to his testimony in 1970. "Negative, absolutely negative," the former intelligence officer replied. "I never saw this until I came here." After being shown his initialled



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file copy, Blackledge said, "I now retract what I said, because those are my initials and I recognize the way I write my initials. But I don't recall the document... I had nothing to do with the preparation."

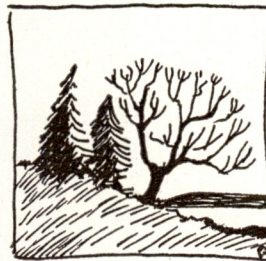
Although Henderson's report was sent as a high-priority, "eyes only" message to General Koster, the General testified that he did not recall seeing it until he returned from a brief vacation in Hawaii in early May. When he did see it, he decided that it was inadequate. "As best I recall, it was not my intent that this [the report] should be limited to only some discussion of some V.C. propaganda," Koster testified. He said that he and his staff "discussed the adequacy of the report" and decided to ask Henderson to submit a full analysis, covering not only the new Vietnamese allegations but also Warrant Officer Thompson's claims of indiscriminate shooting. In May, General Young made another trip to the Duc Pho headquarters area and informed Henderson that Koster now wanted a formal investigation of the incident, to embrace all the allegations—from both the Vietnamese and the pilots. Henderson said, "I discussed with him who the logical individual was to perform the investigation and told him that if he had no objections I would assign Colonel Barker to it."

Barker completed his report the next week. Henderson testified that "to the best of my knowledge, the report included statements from certainly all of the company commanders, from various pilots... from enlisted personnel, both Charlie and Bravo Company, it included statements from personnel working in the battalion T.O.C. [tactical-operations center]." Barker's formal report concluded once again that twenty civilians had been killed by artillery and gunships, Henderson said. He added, "...there was no term of atrocity used, or massacre, or anything of this nature. There was no evidence to support that any soldiers had willfully or negligently wounded or killed civilians during this operation." Barker, Henderson said, had attached from fifteen to twenty single-page signed statements to a covering report of three pages. Henderson testified that he had submitted Barker's work to General Koster with a written endorsement, saying, "I had reviewed the investigation... that the facts and circumstances cited throughout the investigation agreed generally with my

own personal inquiry into the matter... and I recommended that the report be accepted."

The Peers commission was unable to find any copies of Colonel Barker's formal report in the headquarters of either the Americal Division or the 11th Brigade. In addition, of the four hundred witnesses who appeared before the commission, only two—Colonel Henderson and General Koster—claimed to have any knowledge of it. The evidence is overwhelming that if such a report was prepared by Barker it was a complete fraud. None of the principals in the My Lai 4 investigation—including Captain Medina, the commanding officer of Charlie Company; Warrant Officer Thompson, the helicopter pilot; Major Watke, Thompson's commanding officer; and Colonel Holladay, the 123rd Battalion commander—had any knowledge of further inquiries. For them, the investigation had ended in March, a few days after it began.

BY March, 1969, Task Force Barker's assault on the village of Son My was just another forgotten military victory. Two of the most important of the dramatis personae were dead. Lieutenant Colonel Barker, the task-force commander, had been killed the previous June when a helicopter he was flying in collided with an Air Force observation plane near My Lai 4. Captain Earl R. Michles, the commanding officer of Bravo Company, which had led the assault on My Khe 4, was also killed in the accident. Major General Koster was the Superintendent of West Point; Colonel Henderson and General Young were assigned to new duties, out of Vietnam; and most of the G.I.s from Bravo and Charlie Companies either were out of the service or were counting the days until they would be.



Ronald L. Ridenhour, the Arizonian who served in the 11th Brigade in early 1968, was also out of the service, and at the end of March he mailed his letter describing the assault on My Lai 4 to the President, to Pentagon officials, and to two dozen members of Congress. "Quite frankly, my initial reaction to these charges was one of disbelief," General William C. Westmoreland, then serving as the Army's Chief of Staff, told a House armed-services subcommittee during closed briefings on My Lai 4 in the spring of 1970.

Ridenhour's letters posed an immediate

diate public-relations threat to the military, which was then in the process of helping to sell President Nixon's "Vietnamization" program to the nation, and within days the American military command in Saigon was ordered to investigate the charges. The task fell to Colonel Howard K. Whitaker, who was a senior officer in the Inspector General's office in Saigon; he was dispatched north to the Americal Division headquarters. Whitaker's investigation was similar to the earlier investigations of My Lai 4. He spent less than two days with the Americal Division, and he seems to have accepted at face value every Army document he could find. Thus he was able to write, "A review of the Combat After-Action Report . . . revealed that an estimated enemy Local Force BN [battalion] was in the vicinity of the My Lai . . . area. . . . Enemy losses during this action were heavy . . . The civilian population supporting the V.C. in the area numbered approximately 200. This created a problem in population control and medical care of those civilians caught in fires of opposing forces." Whitaker did not mention that only three enemy weapons had been captured, nor did he express any concern over the fact that a check of the files in the Americal Division and the 11th Brigade produced no evidence of any earlier investigation. The message from Washington ordering Whitaker's investigation had suggested that one had taken place. Whitaker completed his confidential report on April 17, 1969, four days after he began. Within days, it was relayed to the Inspector General's office in the Pentagon for action because, as Whitaker noted, most of the alleged participants were back in the United States.

Colonel Whitaker's attempt to get at the truth apparently stopped with a series of discussions he had with the top-ranking officers of the Americal Division, including Major General Charles M. Gettys, who had replaced General Koster as the commanding general, and Colonel John W. Donaldson, who had replaced Colonel Parson as the chief of staff. Whitaker's report noted, "Both stated they knew of no investigation ever having been conducted concerning the alleged incident." The Colonel's final conclusion was skeptical. "An examination of all available documents concerning the alleged incident reveals that the complainant [Ridenhour] has grossly exaggerated the military action in question," he wrote. "No evidence could be uncovered which would substantiate the allegations." Whitaker did suggest, however, that interviews be conducted

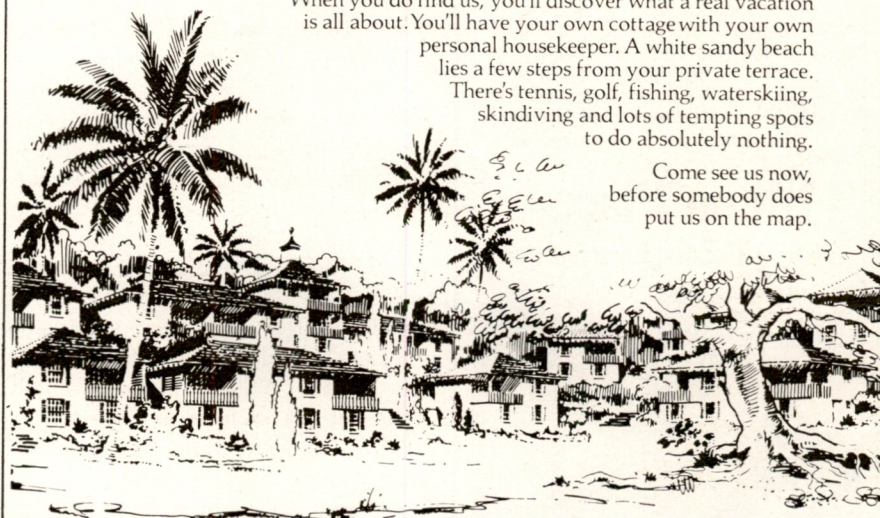
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with some of the pertinent witnesses to "determine if the allegations have substance." None of the participants had been questioned about My Lai 4 since March, 1968.

In mid-April of 1969, the Inspector General's office in the Pentagon was ordered by General Westmoreland to conduct a full-scale inquiry; officials there, in turn, assigned Colonel William V. Wilson, a highly skilled investigator, to the case. With that assignment, made in late April, the Army set in motion an inevitable sequence of events. The basic sources that Ridenhour had mentioned were the men of Charlie Company, some of whom had done the shooting, and they became Wilson's sources, too. In the early stages of the Wilson investigation, there were no colonels or majors to contrive reports—just guilt-ridden ex-G.I.s anxious to tell what they knew and why they had done what they did. By late May, Wilson had personally tracked down at least six members of Charlie Company, and had accumulated enough solid evidence to order Lieutenant Calley brought back from Vietnam for questioning at the Inspector General's office in the Pentagon. Although no hint of the pending atrocity case reached the public, many of the officers at work in the Pentagon knew that something was up.

The word also reached the headquarters of the Americal Division. Subsequently, the Peers commission was unable to establish how all but two of the reports relating to the Henderson investigations had vanished. Files pertaining to March 16th and thereafter were missing from the Americal Division headquarters, the 11th Brigade headquarters (where one copy of Henderson's April 24th report was found, in Sergeant Gerberding's safe), Quang Ngai province headquarters, and Son Tinh district headquarters. All the records for March 16th were also missing from the headquarters of the battalion commanded by Lieutenant Colonel Robert B. Luper, chief officer of artillery units attached to the 11th Brigade. Detailed interrogations by the Peers commission of dozens of division and brigade officers, sergeants, and clerks who were still serving in 1969 produced only two witnesses who could recall handling a file on the My Lai 4 investigations—Gerberding, the intelligence sergeant for the 11th Brigade, and Sergeant Kenneth E. Camell, who replaced him in late October, 1968. Camell told the Peers commission that he

recalled seeing a number of reports on investigations specifically dealing with My Lai 4, including Henderson's report and Rodriguez's report.

Colonel Whitaker's early investigation had failed to uncover Gerberding's personal file; no one knew it existed. In late May, however, Colonel Wilson ordered Colonel Henderson to report to Washington for interrogation in connection with the massacre. (As Henderson initially described the battle during his testimony before Wilson, Charlie Company was in heavy contact with Vietcong troops entrenched in bunkers surrounding the hamlet.) Henderson, who was then on duty in Hawaii, promptly telephoned Donaldson, the new chief of staff at Americal Division headquarters, to tell him that a copy of his investigation had been filed either in the intelligence office or in the operations office of the 11th Brigade. In his testimony before the Peers commission, Henderson said, "I asked him if he would call down to the 11th Brigade and have somebody look in the S-2 [intelligence] or the S-3 [operations] safe to see if there was not an envelope in there with a report of investigation in it." Henderson later testified that he was asking Donaldson for "any and all reports concerning the My Lai incident." This would have included the formal investigation made by Colonel Barker in May, 1968, with its multitude of attached statements.

By that time, however, the files had disappeared. Donaldson sent Henderson a message saying, "A thorough search of division headquarters files and 11th Infantry Brigade files has failed to produce the informal investigation you requested." (It is not known why Donaldson's message referred to an informal report, one which usually is filed on an interim basis.) A few days later,

Donaldson telephoned Henderson with the additional news that a continuing check of the files had produced only the two-page interim report of April 24th, which was subsequently mailed to Henderson, who turned it over to the Army investigators. The material in Gerberding's personal file, Camell told the Peers commission, disappeared in two separate stages. That spring, as the Inspector General's inquiry was getting under way, a senior officer of the 11th Brigade came to him for the complete file. "The indication was that he had to make a report to someone else on it," Camell said of the officer, whose identity was never determined.



When the folder was returned to him a day or two later, he said, he noticed that some of the papers were missing. "As to what they were, I cannot tell you," Camell testified. In September, 1969, the Sergeant added, he was again asked for the file by a senior staff officer. He never saw the folder again. On September 5th, the Army announced that murder charges had been filed against Lieutenant Calley.

THE Peers commission concluded its investigation in March, 1970, without being able to discover how the My Lai 4 files had disappeared. General Peers himself suspected that some of the key officers involved at the time were responsible. The truth was more damaging to the Army's system than Peers could imagine: that subsequent officers of the Americal Division, who had had no direct involvement with My Lai 4 and its investigations, had destroyed evidence to protect the officers who preceded them.

The first evidence that some reports on My Lai 4, including the report on Colonel Barker's formal investigation, were on file at the Americal Division headquarters as late as May, 1969—fourteen months after the massacre—became known to the Army in the spring of 1970. The evidence was supplied by Lieutenant Colonel Barney L. Brannen, Jr., who had served with the Americal Division in the spring of 1969 as staff judge advocate—the senior legal officer. In September, 1970, Brannen told an Army pre-trial hearing into coverup charges against General Koster—charges that had been recommended six months earlier by the Peers commission—that while he was in Vietnam he had seen the original copy of Barker's investigation report of May, 1968. "It was sometime in May of 1969," he explained at Koster's pre-trial hearing. "I received a phone call from the division chief of staff, who at the time was Colonel John Donaldson, [who] asked me if I could come over to his office. So I did. . . . when I arrived at the headquarters . . . in Colonel Donaldson's office was the division G-1 [the officer in charge of administration and personnel]. . . a Lieutenant Colonel Henry Lowder. I don't recall anyone else being present at that time." Donaldson gave Brannen a copy of Ridenhour's letter to read and then ordered him to search his office files for any information on the alleged incident. It is not known who in the Pentagon had made a copy of Ridenhour's letter available to Donaldson. The only official link until that time between the letter and the Americal Divi-

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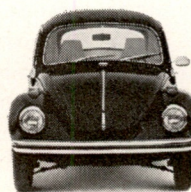
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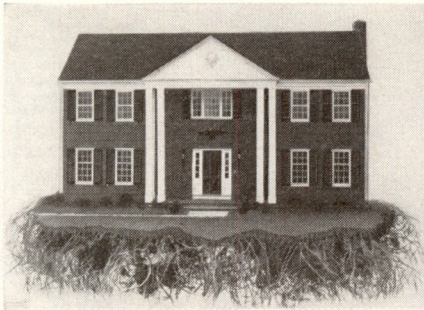
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sion had been Colonel Whitaker, of the Inspector General's office, and he told the Peers commission that he was never given a copy of it. Brannen found no trace of the report on Barker's investigation. He testified at the Army hearing, "So I left my office and went down to the G-1's office, which was about one hundred yards away . . . and I entered Colonel Lowder's section—his own personal office and . . . he had a file in his hand at the time I walked in and he said, 'Well, we found this,' and he handed me this file . . . perhaps one-half inch thick." The file was Barker's report of May, 1968, complete with the letter of endorsement from Henderson. Brannen went on, "I said to Colonel Lowder, 'This appears to be the document we're looking for. Do you want me to go with you back to the chief of staff's office?' and he said, 'No, I'll take it over and talk to him about it.' . . . And then and there ended my connection with this investigative file."

Brannen left the Americal Division that summer and returned to the United States to take a year-long course at the Army's Command and General Staff College, at Fort Leavenworth, Kansas. He was in school that November, when the My Lai 4 story broke in the newspapers. Brannen read many of the newspaper and magazine stories about the atrocity, and was particularly offended by one account, in *Newsweek*. "They [the magazine] went through the My Lai incident and they pretty well concluded that the Army had a big coverup and that there had never been any sort of investigation and so forth," the lawyer complained at Koster's pre-trial hearing. "Well . . . during the [Christmas] holidays . . . we were out of school for two weeks. I had a cocktail party . . . and there were some other judge-advocate officers who attended it. . . . the discussion of My Lai came up in the course of the evening because they knew I had been in the Americal. And one of them referred to the article. . . . And I told them in no uncertain terms that I didn't think the article was accurate but that was not unusual because I felt that a lot of news reporting was inaccurate anyway, and a lot of editorializing when they reported to be facts. [I told them] that I had seen . . . a formal investigative report that related to the My Lai incident. In fact, it did not appear to me that the Americal Division had in any way attempted to cover anything up but had in fact investigated it."

Brannen's story travelled through

the Army's legal circles, and in March, 1970, he was asked by one of the attorneys for General Koster to make a formal statement about the file he had seen in Colonel Lowder's office. In June, Brannen gave another statement to agents for the Army's Criminal Investigation Division. A few days later, he passed a lie-detector test at the Pentagon. The test was urged upon Brannen because both Donaldson, who by then had been promoted to general and had been assigned to a key position on the Joint Chiefs of Staff, and Lowder were vigorously denying Brannen's account. By midsummer of 1970, both Donaldson and Lowder were under secret investigation themselves by the C.I.D. for their part in the My Lai 4 tragedy.

General Donaldson testified at the Koster hearing on September 14, 1970, five days after Brannen. He again denied any knowledge of an encounter with Brannen and also claimed that he had "no clear or positive recollection" of seeing Ridenhour's letter while he was in Vietnam. Within a year, nonetheless, General Donaldson's promising career received a serious setback. Late in 1970, an Army prosecutor, checking a tip that Colonel Henderson had engaged in "gook-hunting" in helicopters (looking for human targets) while serving as brigade commander in 1968, interviewed a number of helicopter pilots who had flown in Vietnam. The investigator discovered that his tipster had been mistaken in the identity of the "gook-hunter;" it was not Henderson. An investigation was initiated, and in June, 1971, Donaldson was formally charged with the murder of six Vietnamese civilians and the assault with intent to kill of two more. Pending further Army hearings, he was transferred from his position with the Joint Chiefs of Staff to a desk job at Fort Meade, Maryland. In December, 1971, after a four-month closed hearing, the Army exonerated Donaldson of all charges, permitting him to resume his career.

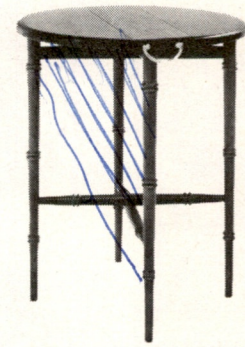
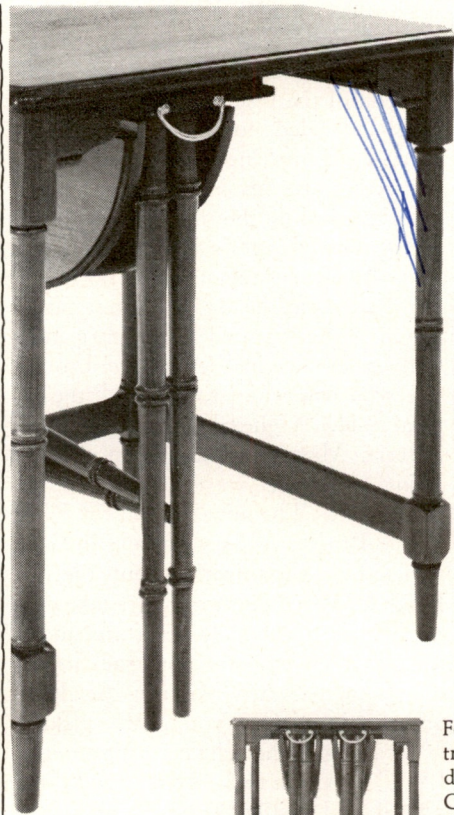
SECRETARY OF DEFENSE MELVIN S. LAIRD and other high Pentagon officials monitored the Associated Press and United Press International newspaper wires on the evening of September 5, 1969. Earlier that day, the public-information office at Fort Benning, Georgia, had issued its first press release about the mass-murder charges filed against Lieutenant Calley. The official concern wasn't necessary; the military news release—an announcement of the type that is routinely issued in connection with a serious crime—

Sept 30'

gave no hint of the scope of the My Lai 4 massacre. Calley was charged with murder, it said, "for offenses allegedly committed against civilians while serving in Vietnam in March, 1968." There was no press outcry, and the military continued its investigation in secrecy. Ridenhour, who by then was making increasingly impatient telephone calls to the Pentagon demanding action on his letter, was informed by the Inspector General's office of the charges against Calley but was urged to "avoid any public discussion which could prejudice the continuing investigation or the rights of Lieutenant Calley." The chairmen of the Senate and House Armed Services Committees, Senator John C. Stennis, of Mississippi, and Representative L. Mendel Rivers, of South Carolina, were briefed by Army officers on the impending scandal and were also urged not to talk.

By then, the full scope of the My Lai 4 tragedy was becoming clear to the Army, and in the fall the investigation of Charlie Company G.I.s was transferred from the Inspector General to a newly organized office of the Criminal Investigation Division, headed by Colonel Henry H. Tufts, an experienced agent. At the same time, the Army broadened the scope of its inquiry, and assigned many agents to Tufts' office. Dozens of Charlie Company officers and men were now being interrogated. But in those months none of the senior officers of the 11th Brigade and the Americal Division were thought to be involved in a coverup. At last, as the furor over the Calley story grew, an atmosphere of crisis developed in the Pentagon. A series of meetings was held at which high officials discussed ways of abating the growing outcry from the press and the public over what seemed to be an obvious case of coverup. Incredibly, that possibility had not been formally discussed within the Pentagon until then. A working group that included Secretary of the Army Stanley R. Resor, Army General Counsel Robert E. Jordan III, Vice Chief of Staff Bruce Palmer, Jr., who had formerly been deputy commander of all American forces in Vietnam, and Daniel Z. Henkin, Assistant Secretary of Defense for Public Affairs, determined that some kind of inquiry was needed.

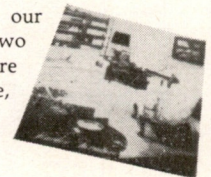
Before any decision was reached, a number of officers attached to the Americal Division and to the Quang Ngai Province advisory team were brought in to the Pentagon for private discussions. Among those interviewed were Major Watke, Colonel Guinn, and Colonel Balmer, the former opera-



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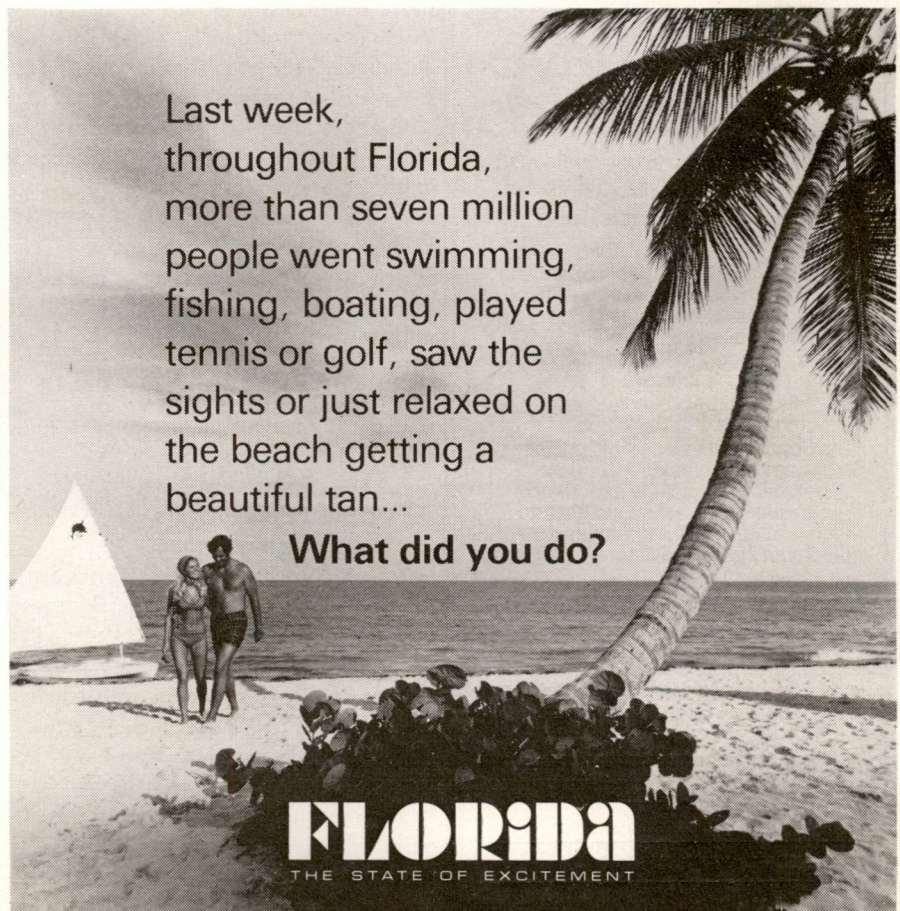
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tions officer under Koster. "Our personal feeling was 'Yeah, something's rotten in Denmark,'" the military official said of the results of the interviews. It was decided not to entrust the inquiry to Tufts' newly set up C.I.D. office, because his investigators would be outranked by the men they were interrogating. Koster's high rank meant that a two- or three-star general would be needed to head the investigating panel. "We wanted a military man with experience in Vietnam, and someone who was senior to Koster," the official said. "General Peers met those criteria. Moreover, he was not West Point, and we were afraid of the W.P.P.A." The initials stand for West Point Protective Association; it is a nonexistent organization, but the belief that West Point graduates take care of their own is widely held, and many military men who are not graduates of the United States Military Academy are convinced that young West Point generals get the choice assignments. "W.P.P.A. is a two-edged sword," the official said. "The West Pointer who goes down is trampled on harder, but it usually takes a higher standard of proof." Another reason for appointing General Peers was that he was then Chief of the Office of Reserve Components, a three-star position that is not usually considered a stepping stone to more important positions in the Army. "Peers' job was one in which he could be missed," the official said. "Let's face it—you don't charge a member of the club and tear up the system the way he did and expect to get ahead." Peers, a gruff, cigar-smoking man, was given carte blanche in picking his staff, and he eventually amassed a group of intelligent young officers who had been battlefield commanders in Vietnam to serve on his interrogation teams. (By the end of the investigation, the Army had assigned thirty-four officers, forty-eight enlisted men, and eleven civilians to the commission.) On November 24, 1969, the Pentagon formally announced that Peers had been chosen to head an inquiry into the "nature and scope" of the initial investigations into My Lai 4.

By early December, Peers was beginning to understand that he had badly underestimated the scope of his inquiry. In a memorandum written to Resor and Chief of Staff Westmoreland on November 30th, before he began hearings, the General had outlined a six-week investigation involving a

trip to Vietnam and the interrogation of thirty or forty witnesses in the Pentagon. As things worked out, he and his staff interrogated more than fifty witnesses before Christmas, some of them twice. Early in December, two prominent New York lawyers—Robert MacCrate, a Harvard Law School graduate who had once served as counsel to Governor Nelson A. Rockefeller of New York, and Jerome K. Walsh, Jr.—joined the investigating team. The civilian attorneys were added, one official told me, because at one stage of the game Robert Jordan, the Army general counsel, and Army Secretary Resor became aware of the credibility problem.

By taking these steps, the military blunted an earlier demand, made by liberals and conservatives alike, that an outside panel be established to investigate the coverup. This proposal had been made by such disparate men as Hubert H. Humphrey, the former Vice-President; Senator Stennis, the chairman of the Armed Services Committee; and Arthur J. Goldberg, the former Supreme Court Justice. Still, the Army's announcement of the Peers Inquiry triggered some Senate and House criticism. Two senators—Stephen M. Young, of Ohio, and Charles H. Percy, of Illinois—immediately called for a Senate investigation of My Lai 4. Young, perhaps anticipating a long military delay in making an uncensored version of the Peers report public, told the Senate that "Americans must know—and the sooner the better—the long-suppressed facts about



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what certainly has been one of our nation's most ignoble hours." In the House, Mendel Rivers, of the Armed Services Committee, announced that he had ordered his investigating subcommittee, headed by Representative F. Edward Hébert, of Louisiana, to investigate the massacre in closed hearings. That group's report,

like the Army's, was released in heavily edited form eight months later.

The political furor over the coverup died as My Lai 4 receded from the front pages. No serious critic questioned the integrity of General Peers, and, indeed, the Peers Inquiry was a model of integrity and industry; at one time the General had four separate interview teams at work, compiling volumes of testimony. One thing that complicated the group's work was a question of time; under military law, the statute of limitations for some criminal of-

fenses—though not murder—was two years, and therefore all charges would have to be prepared by March 16, 1970.

Ultimately, however, the Peers Inquiry failed to explore the sources of the coverup fully, for the coverup was the product not just of the individual actions of a few generals, colonels, and lesser officers but of an institution that made it almost inevitable that the investigations of My Lai 4 would be covered up. The inquiry members, perhaps unconsciously, were convinced that My Lai 4 and Task Force Barker were both aberrations. The witnesses—particularly the field-grade officers of the task force and the 11th Brigade—were considered to be individuals who were somehow unlike all their counterparts in the Army. Major Watke, for example, was accused by Colonel J. Ross Franklin, one of the Peers investigators, of giving an impression, "whether intended or not," of "an officer greatly concerned over making waves in his own career, whose judgment, or information of a possible horrible war crime . . . has been filtered, or clouded, or even almost diverted by the negative impact it could have on his career." Watke responded by telling the officers an important truth about the military. "If it had been my career at stake, I wouldn't have done anything," he said. "I think the fact that I carried this to my commander and to Colonel Barker . . . if I had been worried about my career . . . I would have just let it just stop right there when it came to me." General Peers simply couldn't accept Watke's comment. "Major Watke, let's be reasonable," he said. "You couldn't, and even if you had been thinking about your career, the worst thing that could have ever happened to you—and look at it very realistically—was for [Thompson's complaints] to get up the line without having gone through you. You wouldn't have had to worry about a career." Yet the overall testimony taken by the Peers commission suggested that if Watke had said nothing there would have been no immediate investigation at all.

As the inquiry proceeded, it should have become clear to General Peers and his colleagues that many underlying problems were exemplified by the officers testifying before them, yet My Lai 4 was always discussed in terms of an officer's failing to fulfill his military duty by not reporting a war crime—never in terms of a system that prevented literally hundreds of men and officers from telling their superiors about My Lai 4. In response to a question, Ridenhour told Peers why he

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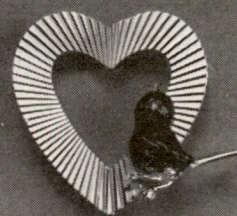
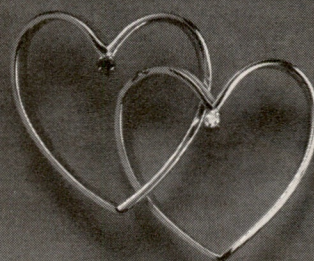
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hadn't reported his information about the massacre to his military superiors in Vietnam instead of writing his letter. "I didn't have a whole lot of trust in the Army, especially after some of these things happened," he testified. "And I was told bluntly from time to time that if accidents occurred, don't worry about it, because we'll cover you."

... I couldn't help feel that this was a policy that was all-pervading within the [Americal] Division."

Father Creswell, the Episcopal chaplain at Americal Division headquarters, was asked by MacCrate during his testimony why he did not report Warrant Officer Thompson's charges about the shooting of civilians at My Lai to the staff judge advocate, and he replied, "Well, sir, let me tell you something at this point. I'm not a complete stranger with the J.A.G. [Judge Advocate General's] office. I went over from time to time. ... And I became absolutely convinced that as far as the United States Army was concerned, there was no such thing as murder of a Vietnamese civilian."

Colonel Franklin seemed to many witnesses to be the most moralistic military member of the Peers commission. Franklin, the former deputy commander of the 173rd Airborne Brigade, often criticized witnesses and suggested that they were lying. Sergeant Michael Bernhardt's appearance before the commission particularly upset Franklin. Bernhardt, who was one of the first men to talk to newsmen about My Lai 4, testified that he had witnessed or had been told about many rapes and murders committed by men in Charlie Company. On being asked by Franklin to give a specific example, he told of a woman carrying baskets who had been shot when she ignored a request to stop running. Franklin responded, "Well ... can you think of a better way to stop people that are running than doing that? I mean, are you comparing that woman carrying baskets that was shouted at to stop with the lining up and the gunning down of men, women, and children in My Lai 4? ... The only point I want to make to you is if you are going to make damning accusations like this, and these very general statements, you had better have something to back it up. You're still wearing the uniform and you're portraying people that wear the uniform as really animals." Yet a year later Colonel Franklin was himself charged by a fellow-officer with seven counts of dereliction

of duty and failure to comply with written directives in connection with the murder in 1969—before the Peers commission was convened—of at least five Vietnamese prisoners and the electric torture of a sixth. The charges were filed on March 15, 1971, by Lieutenant Colonel Anthony B. Herbert, the holder of four Silver Stars, who served in early 1969 as acting inspector general and as a battalion commander for the 173rd Airborne Brigade under Franklin and his superior, Major General John W. Barnes, who was himself charged by Herbert with three counts of dereliction of duty. Charges against both officers were eventually dismissed by the Army.

There is some reason to believe that General Peers, who personally ordered the full commission inquiry into the Bravo Company massacre, apparently did not do all he could to insure that those men and officers who were involved in the killings at My Khe 4 were punished or reprimanded. The first hint of Bravo Company's actions was given by Mrs. Nguyen Dhi Bay, a resident of My Khe 4, who was raped and then was forced to serve as a human mine detector during the Bravo Company operation that took place between the sixteenth and eighteenth of March, 1968. Mrs. Bay was interviewed on December 17, 1969, at the Chu Lai hospital by André C. Feher, an agent of the C.I.D. Peers, MacCrate, and a few other members of the investigating team arrived at the Americal Division headquarters a few weeks later to begin interviewing witnesses and to survey My Lai 4. Almost immediately, Peers sent the following "eyes only" message to Army Secretary Resor and General Westmoreland:

You will recall that you had asked me to include Co Lay in our investigation. Two of the female detainees taken in the operation of ... the 1st Cav on 13 Dec 69 south of My Lai 1 were recently interrogated by the C.I.D. in the Quang Ngai civil hospital. Both of them indicated that on the day of the 16th, possibly the 17th, of Mar 68 approximately 90-100 women and children in [My Khe 4] were removed from bunkers and shot in the immediate locality. ... A few instances of rapes were also reported. This would have been the operation of B Co ... in that general area.

The two women have since been released from the hospital, but we will try to locate them and have them re-interrogated by members of this team. Additionally, we will continue pressing for information concerning any unusual activity in that area on the 16-17th of Mar 68.



Judith Sheehan

You should also know that Mr. West [Bland West, an attorney on the investigating team] and the other members... in Washington are developing a list of individuals from B Co... to be interrogated in the CONUS [Continental United States] when we return.

The two Vietnamese women were not found, but by mid-January the Peers commission had set up a separate team of investigators to interrogate the former G.I.s of Bravo Company. On January 21st, Peers officially enlarged the scope of his inquiry when he informed Resor and Westmoreland in a memorandum, "There is evidence to show that other atrocities and/or violations of military regulations were committed in the other three hamlets of Son My village... In light of the above, it is recommended that the geographic scope of the final report be extended to include the entire Son My village." This was the first time since the day of the tragedy that even an intimation of Bravo Company's misdeeds at My Khe 4 had come to official light. The approval came routinely. (Peers' final summary report to Secretary Resor and General Westmoreland analyzed Bravo Company's assault on My Khe 4 in great detail, however, stating that the number of civilians killed there "may have been as high as ninety.") By February 5th, more than thirty members of Bravo Company had been interrogated, and the Peers commission soon had at least four G.I.s and one officer—First Lieutenant Thomas K. Willingham, who headed Bravo Company's first platoon—under suspicion of murder. The heavy questioning of Bravo Company stimulated press interest at the Pentagon, but military spokesmen had a standing rule against discussing any details of the Peers Inquiry, though they did provide a daily list of witnesses and their units. A few newspaper stories in early February pointed out that the commission had broadened its investigation of My Lai 4 to embrace the activities of Bravo Company, but no reporter was able to learn what had happened at My Khe 4. Spokesmen simply told the reporters that the Peers commission was investigating the entire Son My area, and not limiting itself to My Lai 4. On February 12th, the Army formally charged Willingham, who had by then been promoted to captain, with the unpremeditated murder of about twenty Vietnamese civilians. Few details of the case against Willingham were made public, although Pentagon officials did link the Willingham incident to the My Lai 4 operation. Willingham later refused to testify during a brief appearance before Peers. On February 18th, a reporter for the National



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Broadcasting Company interviewed two Vietnamese survivors of the My Khe 4 assault, who told how almost a hundred villagers had been killed there during the Task Force Barker operation. By this time, however, the American press was focussed on My Lai 4, so it paid little attention to the story.

On February 21, 1970, General Peers sent Secretary Resor and General Westmoreland another memorandum, informing them that from twenty to twenty-five persons were suspected of offenses that "could be made the subject of court-martial charges." Some of those under suspicion had been members of Bravo Company. The Peers commission was not authorized by the Army to prefer charges on the coverup offenses, but had to submit its recommendations before the time for prosecuting such violations ran out on March 16, 1970, to a group of officers from the Judge Advocate General's Corps, who would determine whether there was sufficient evidence against each suspect to justify a court-martial. General Peers eventually presented a list of nineteen suspects who were still on active duty, only one of them in connection with the Bravo Company killings at My Khe 4. On March 17, 1970, then, General Peers announced that formal charges had been filed against fourteen officers:

Major General Koster, who was accused of failure to obey lawful regulations and of dereliction of duty.

Brigadier General Young, similarly accused of failure to obey regulations and of dereliction.

Colonel Henderson, accused of dereliction, of failure to obey regulations, of making a false official statement, and of false swearing.

Colonel (then Lieutenant Colonel) Luper, accused of failure to obey a lawful order.

Colonel Parson, accused of failure to obey regulations and of dereliction of duty.

Lieutenant Colonel Guinn, accused of failure to obey regulations, of dereliction, and of false swearing.

Lieutenant Colonel (then Major) Gavin, accused of failure to obey regulations, of dereliction, and of false swearing.

Major Calhoun, accused of dereliction and of failure to report possible misconduct. (An earlier suspicion that he helped plan a mission "which had as some of its purposes the unlawful and systematic destruction of... property and the killing of civilians in violation of the laws of war" was dropped.)

Major McKnight, accused of false swearing.

Major Watke, accused of failure to obey regulations and of dereliction.

Captain (then First Lieutenant) Kenneth W. Boatman, who was attached to Bravo Company as an artillery forward observer, accused of failure to report possible misconduct.

Captain (then First Lieutenant) Dennis Johnson, an intelligence officer attached to Task Force Barker, accused of failure to obey lawful regulations.

Captain (then First Lieutenant) Thomas Willingham, already facing unpremeditated-murder charges, accused of making false official statements and of misprision of a felony.

Captain Medina, also previously charged with murder, accused of misprision of a felony.

The press, properly, focussed attention on the charges against Koster, who was by then the Superintendent of West Point. He and Young were the first Army generals in eighteen years to face a possible court-martial. At the news conference, reporters were told that much of the Peers material, including the transcripts of interviews, "cannot be made public at this time, because of the possible prejudice to the military justice against the fourteen officers who have been charged this past weekend." However, there seemed to be little legal justification for withholding information about the second massacre, at My Khe 4, from the public. Peers did announce to the press, "Our inquiry clearly established that a tragedy of major proportions occurred there [in Son My village] on that day." After the Peers commission disbanded, the Army never did complete its investigation of My Khe 4, although even a cursory examination of the Bravo Company testimony accumulated by Peers demonstrated that a significant atrocity had taken place. No further charges were filed in connection with My Khe 4.

At his news conference, Peers was asked, "Is there any evidence that the type of behavior that the charges are based on was more widespread than what happened at My Lai on March 16th? In other words, other days or other places?" The General's answer was unequivocal. "If there is, I have no knowledge of it," he said. "It was not brought out to me in the evidence and I, personally, from my roughly thirty months in South Vietnam, I had no knowledge of anything that would approximate this."

The next question dealt with Bravo Company: "What about in the Son My area in that day? You have charges



placed against a member of Company B [Willingham] who was not in My Lai village." Peers replied, in part, "What really is involved, what you might say in My Lai 4, encompassed several of the sub-hamlets, of which My Lai 4 is one of them . . . But the Bravo Company was not in that area, they were in another area further to the east. But it's all encompassed within the greater area of Son My village, and that is why we refer to it now as Son My village rather than try to delineate it to that one piece of terrain, My Lai 4."

No attempt was made in the final summary report of the Peers commission to deal with the continuing and more substantial issues raised by My Lai 4 and My Khe 4: the military attitudes; the calibre of officers; the training techniques; the promotion system—these and other factors basic to the Army itself. Instead, Volume I limited itself to three comments about the adequacy of the Army's policies, directives, and training revealed by the two massacres. First, it said that the existing policies "expressed a clear intent" regarding the proper treatment of noncombatants and prisoners. Second, it noted without comment that the regulations failed to provide procedures for the reporting of a war crime to superior officers when the officers participated in or sanctioned the crime in question. Third, "many soldiers" in the 11th Brigade were described as not being adequately trained in the provisions of the Geneva Convention, nor were they aware of their responsibilities for the reporting of war crimes. (Elsewhere in the final summary volume specifics were cited: "Evidence of scattered incidents involving the mistreatment, rape, and possibly the murder of Vietnamese by 11th Brigade soldiers prior to the Son My operation indicated that a permissive attitude existed and was not uncovered and corrected . . .") The sole recommendation provided by the final Peers Report, made after a two-hundred-and-fifty-page review of the atrocities at My Lai 4 and My Khe 4 and their coverup, was the following: "Consideration be given to the modification of applicable policies, directives, and training standards in order to correct the apparent deficiencies noted . . . above."

A few hours after Peers' news conference, the military began reacting predictably: Major General Winant Sidle, chief of Army public information, announced that measures to speed up the reporting of alleged war crimes were already under study by the Army. And nothing that happened in the next

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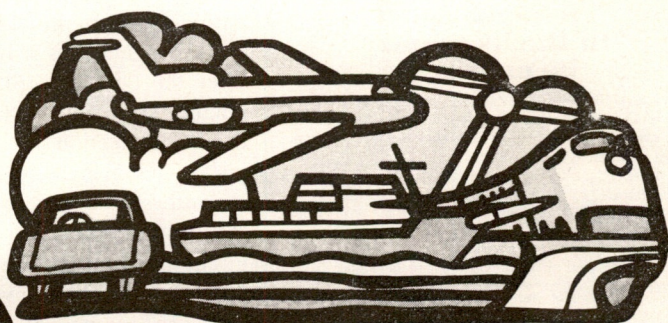
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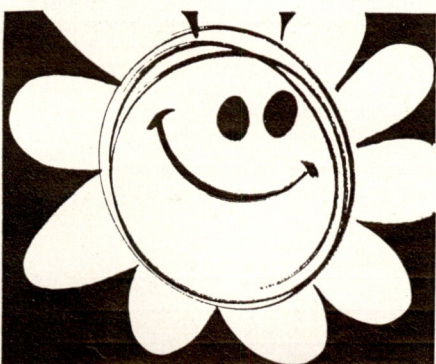
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few months suggested that any of the recommendations of the Peers commission were being carried out; there was no sign that the system would change.

ON April 1, 1970, two weeks after General Peers announced his findings, the coverup charges against Captain Medina were withdrawn by legal officers at Third Army headquarters, at Fort McPherson, Georgia, which was where Medina and some of the other Charlie Company defendants accused of murder at My Lai 4 had been assigned. An Army statement explained that the Peers Inquiry's accusation of misprision of a felony had been dropped "because it is not common practice to charge an individual with the commission of an offense and its concealment." Medina was instead accused of being responsible for all the My Lai 4 murders committed by the men under his command. (The charge in connection with the mass slaying was reduced to involuntary manslaughter during Medina's court-martial. In September, 1971, a court-martial panel at Fort McPherson found Medina not guilty of the manslaughter charge, and also acquitted him of a murder charge stemming from the death of a Vietnamese woman at My Lai 4. Medina, who resigned his commission shortly after the trial, was the last member of Charlie Company to face a court-martial in connection with the actual slaying of the civilians. Of the twelve men and officers eventually charged by the Army with murder or with assault with intent to commit murder, only one—Lieutenant Calley—was convicted, and Calley's sentence of life imprisonment was reduced five months later to twenty years' imprisonment after the first of a series of military reviews.) Under the circumstances as of April, 1970—before any of the legal proceedings had begun—dismissal of Medina's coverup charges was reasonable. But two months later the Third Army announced that it had dismissed both the murder and the coverup charges against Captain Willingham, of Bravo Company. A statement explained that commanding officers there had "determined that, based upon available evidence, no further action should be taken in the prosecution of these charges."

The other officers accused by Peers, including Generals Koster and Young, were administratively transferred to First Army headquarters, at Fort Meade, Maryland, pending a review of

the charges against them. Under military law, the commanding general of the First Army, Lieutenant General Jonathan O. Seaman, had to review the charges to determine if they were sufficient to convene an Article 32 hearing—the Army's equivalent of a grand-jury, or pre-trial, proceeding. The investigating officer of an Article 32 hearing has the obligation, after taking testimony, to recommend whether the defendant should stand court-martial. Within a year, the charges against eleven of the twelve officers at Fort Meade who had been named by the Peers commission had been dismissed.

On June 23, 1970, Seaman, a West Point graduate and a former Vietnam division commander nearing mandatory-retirement age, dismissed all coverup charges against General Young, Colonel Parson, and Major McKnight. A statement issued at Fort Meade said that Seaman had acted following "his evaluation that the charges were unsupported by the evidence." In Young's case, Seaman acted shortly after he received a recommendation to dismiss the charges from Colonel John P. Stafford, Jr., the staff judge advocate of the First Army. Stafford's discussion of the case against Young took up two paragraphs—one devoted to what Young had been told and one to what his obligations to investigate were—of a two-and-a-half-page report:

Although LTC [Lieutenant Colonel] Holladay says BG [Brigadier General] Young was informed of facts which would constitute a war crime, both Major Watke and BG Young corroborate the fact that BG Young was aware of only the confrontation [between ground and helicopter personnel] and the indiscriminate fire. This view is also corroborated by the fact that Col. Parson and Col. Henderson claim to have received only that limited information from the same source. The preponderance of the evidence further supports that BG Young reported the lesser amount of information to MG [Major General] Koster, which is apparently all the information he knew of.

The evidence pertaining to BG Young's requirement to supervise Col. Henderson's investigation is tenuous at best, being based not on specific direction but only on implication. Assuming the duty existed, however, Col. Henderson's activity of reporting directly to MG Koster and the fact that MG Koster accepted this report, weakens the theory of BG Young's dereliction....

Using the same set of facts a year later, Army Secretary Resor concluded that Young "did not meet the required standards" of a general. Resor's conclusion was included in a brief pre-



pared in defense of a subsequently announced decision to administratively censure the General and to strip him of his Distinguished Service Medal. Resor's brief said, in part:

General Young was informed by officers in the aviation unit the day following the incident at My Lai that a serious confrontation had occurred between American ground and helicopter personnel. There has been some dispute as to whether General Young was also given information concerning the killing of civilians and the presence of a number of bodies in a ditch. General Young discussed the matter with General Koster and was instructed to have a subordinate commander [Henderson] initiate an investigation. Subsequently, General Young made inquiries of the commander concerning the progress of the investigation....

Despite the fact that he possessed this information, and that General Koster had utilized him as the officer responsible for seeing that the subordinate commander initiate an investigation, General Young appears to have disassociated himself from the substance of the subsequent investigation. He made no effort to review or discuss with General Koster either the verbal report which General Koster had received from the commander or a subsequent written report which General Koster instructed the commander to prepare. It is General Young's position that he was unaware that the allegations being investigated included the actual deaths of noncombatant civilians. Assuming that to be the case, it indicates the inadequate degree to which General Young involved himself in the investigation, for it is clear that General Koster and the subordinate commander, as well as various others involved in the investigation, understood that a central issue in the investigation was that of civilian casualties. General Young did not seek to assure himself that a satisfactory resolution had been made respecting the confrontation, a confrontation which had serious implications concerning cooperation between infantry and helicopter units in future operations....

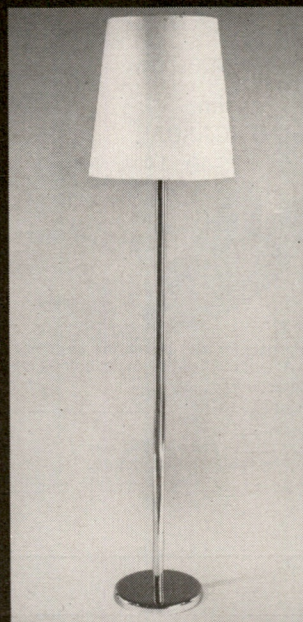
I have concluded that General Young did not exercise the degree of initiative and assume the responsibility which is expected with respect to a general officer serving as an assistant division commander.

Young, after losing a legal battle to avoid censure (although he did fight off an attempt to reduce him to colonel), retired from the Army on June 30, 1971.

On July 28, 1970, General Seaman announced that he had decided that seven of the twelve officers under his jurisdiction, including Koster, were to be held for Article 32 hearings. Besides Koster, the officers were Colonel Henderson, Lieutenant Colonels Guinn and Gavin, Majors Calhoun and Watke, and Captain Johnson. The coverup charges against two other officers—Colonel Luper, the artillery-battalion commander at My Lai 4, and Captain Boatman, who served as a

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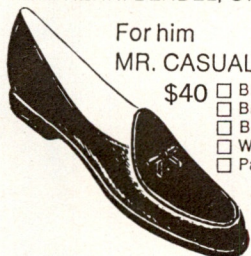
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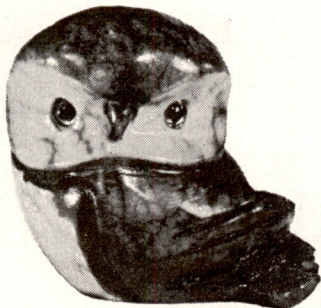
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forward artillery observer attached to Bravo Company—were dismissed. The Article 32 sessions began at Fort Meade in August and were closed to the public; they continued for six months.

On January 6, 1971, after the hearings, General Seaman dismissed charges against four officers "because of insufficient evidence." Those freed were Guinn, Gavin, Calhoun, and Watke. Twenty-three days later, General Seaman dismissed the charges against General Koster, "in the interest of justice."

A Pentagon statement said that Seaman, though he had found "some evidence" that Koster had heard about the deaths of the twenty civilians, had determined that the General was not guilty of any "intentional abrogation of responsibilities." Seaman's action

was based on a four-page memorandum that was submitted to him on October 27, 1970, by Major General B. F. Evans, Jr., the investigating officer for Koster's Article 32 hearing. It is not known why Seaman waited nearly three months before announcing the findings, which he accepted in full. Seaman did issue a statement acknowledging that there was some evidence that Koster had not properly reported the deaths of twenty civilians to higher headquarters, and also had not thoroughly investigated the matter, but he added that in consideration of "the long and honorable career of General Koster" and the fact that Koster had not intentionally lapsed he had decided to dismiss all the charges. General Evans' confidential memorandum—like Colonel Stafford's in General Young's case—conceded every point of dispute to Koster. After concluding that Koster's "testimony was completely truthful," he added, in summary, "It is also my belief that there was no attempt by General Koster to hinder the investigation of the My Lai incident. . . the [testimonial] letters included with [the] Article 32 investigation attesting to General Koster's character coupled with his past record of outstanding service would render it highly unlikely that General Koster would be a party to any subterfuge or dishonest act."

The dismissal of the charges against Koster brought an immediate outcry from MacCrate, the former Peers investigator. In his first public comment on My Lai in ten months, he told the *New York Times*, "I am shocked by the action of the commanding general [Seaman] in dismissing at this time the charges against General Koster." MacCrate's criticisms, however, were directed not at the substance of Sea-

man's action but at its timing. "Charges are still pending against men who were within his [Koster's] command" at the time of the incident, the lawyer said, referring to the officers under investigation at Fort Meade.

Aside from MacCrate's protest, little indignation was expressed over the Army's decision to drop all charges against the senior officer involved in the My Lai 4 massacre; the newspapers' information was limited to what they had been told by the Army, and most of them treated the dismissal as a routine, one-day story. And only one member of Congress, Representative Samuel S. Stratton, a New York Democrat, who had served on Hébert's Son My investigating subcommittee, challenged the decision. On January 29th, Stratton, a former Navy officer, called

the dismissal of charges against Koster "a grave miscarriage of military justice," and said, "To drop the charges against the top officer responsible in this situation raises once again the whole question of a military whitewash. . . . If the Army system is either unwilling or unable to produce the facts and to punish the guilty in this case, then I am inclined to feel that we do need some independent tribunal which will be higher and separate from the ordinary military-controlled court-martial proceeding to make a final determination in this case." Within a day, an Army spokesman revealed that General Seaman—while throwing out the charges against Koster—had given a letter of censure to him for "his failure to report civilian casualties and to insure that the circumstances of these casualties were investigated promptly and thoroughly." None of this got much attention in the newspapers.

A few days later, Stratton gave his fellow House members a lengthy dossier on Koster's alleged derelictions, which he had culled from the censored subcommittee report on Son My, published the previous July. Once again, few newspapers paid attention to Stratton's charges. Stratton told the House, "I am afraid that this is a case where the ground rules of the mythical W.P.P.A., the West Point Protective Association, have taken precedence over the welfare of the nation and the fundamental right of the American people to know the facts: never mind what happens to the Army or to the country, just make sure we keep our paid-up members out of embarrassment and hot water." He also questioned the timing of the Pentagon's revelation that a letter of censure had been given to Koster. "One cannot help wonder-



ing why this censure action was not made public at the time the original announcement was made that charges were being dropped," Stratton said. "Why was the impression given that General Koster was being let off completely free and clear? Was the Army perhaps waiting to test the public reaction to their decision to sweep the Koster case under the rug?"

Koster was subsequently demoted by administrative fiat to brigadier general and stripped of his Distinguished Service Medal—actions he unsuccessfully fought. Secretary Resor's statement justifying the administrative action contrasted sharply—especially in its view of the responsibility of a commander—with General Evans' argument for dismissing the case. Resor wrote:

A great deal of information suggesting that a possible tragedy of serious proportions had occurred at My Lai was either known directly to General Koster, or was readily available in the operational logs and other records of the Division. He did not utilize the investigative staff resources available in the Division either to conduct an investigation, or to review the investigations which were conducted. In so doing, he took upon himself a much greater personal burden than would otherwise have been the case.

As the Division commander, General Koster clearly must be held responsible for ascertaining the accuracy of the information which he had about My Lai, as that information indicated that his troops might have been guilty of serious misconduct. Any other conclusion would render essentially meaningless the concept of command responsibility accompanying senior positions of authority.

On February 26, 1971, the First Army completed its review of the year-old charges by announcing that Colonel Henderson, the 11th Brigade commander, would be tried by a general court-martial for his part in the coverup of My Lai 4. At the same time, General Seaman dismissed all charges against Captain Johnson, the intelligence officer, on the ground of insufficient evidence. Thus, Henderson became the only officer of the fourteen initially charged to be required to face a court-martial in connection with the charges of a coverup.

In August, 1971, Army Secretary Robert F. Froehlke, who had replaced Resor on July 1st, initiated administrative punishment against a number of the fourteen officers accused by General Peers. Pending appeals, two colonels were to be stripped of their Legions of Merit and given letters of reprimand; one major's name was to be removed from the list of majors eligible for promotion to lieutenant colonel; one captain was to be given a letter of reprimand; and a similar censure

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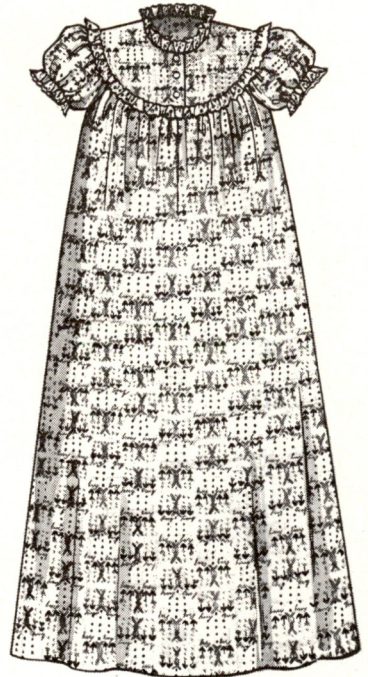
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(its details still unknown) was to be meted out to a fifth officer. Four enlisted men who had served with Charlie Company and, like the officers, had been cleared of criminal charges were also proposed for administrative punishment by Froehlke, and were told that, pending final reviews, they would be honorably discharged from the Army for the convenience of the government. Details of Froehlke's actions were leaked to the Associated Press and were published on August 18, 1971. The A.P., however, was not told the identity of the punished officers, though the names and home towns of the enlisted men were provided and published.

Colonel Henderson's military attorneys, as might have been expected, depicted their client as a scapegoat, and claimed that he would not have been charged if Representative Stratton hadn't begun objecting to the dismissal of the charges against Koster. I was told that during Henderson's Article 32 hearing at Fort Meade, which lasted five months, more than seven thousand pages of testimony was taken. At the conclusion of the hearing—in January, just before Stratton made his speeches in the House—the investigating officer dismissed one of the five specifications against Henderson but had found some evidence to support the complaints of dereliction of duty and false swearing. The officer did not recommend a court-martial, it was said, suggesting instead that Henderson be given a form of nonjudicial punishment under Article 15. General Seaman decided to proceed with the court-martial, however—a decision that was announced shortly after Army Secretary Resor began his administrative proceedings to censure Koster and Young. But Stratton, then the chief critic of the Army's handling of the coverup prosecutions, wasn't pacified either by the administrative action against the officers or by the filing of the Henderson charges. Still unable to attract wide press coverage, he wrote an article for the editorial section of the New York Times on March 8, 1971, caustically pointing out that a letter of censure "has one clear advantage over a court-martial; it keeps the general's [Koster's] case out of the papers."

Yet Stratton's public criticism of the Army's handling of the Koster charges, important though it was, still did not bear on the crucial issue of the Army as an institution that was capable of covering up a My Lai 4 and ignoring a My Khe 4. Neither did Colonel Henderson's subsequent court-martial, which began August 23, 1971, at Fort

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Meade, and quickly became mired in technical disputes over, among other things, the validity of the Colonel's testimony before the commission. Henderson's attorneys also spent weeks attempting to establish the existence of the May, 1968, report of the Barker investigation, although the evidence before Peers made it clear that the document was a fraud. The trial, which dragged on through the fall, was marked by much self-serving and less than candid testimony. At least two key witnesses changed testimony. Chief Warrant Officer Hugh Thompson, a captain by late 1971, testified that he was no longer positive that he had made a statement about My Lai 4 to Colonel Henderson two days after the massacre. (Before the Peers commission, Henderson, among others, had identified the pilot as the man with whom he spoke.) Warrant Officer Jerry Culverhouse, who also had been promoted to captain, told the court-martial that he no longer could say whether Henderson "was or was not" the man to whom he reported on March 18, 1968. On December 17, 1971, Henderson was found not guilty of the coverup charges.

In the end, only legal technicalities and personalities were being debated. It is unlikely that any other atrocities of the magnitude and character of My Lai 4 have taken place in South Vietnam, but how many My Khe 4s have there been? By the fall of 1971, the massacre by Bravo Company was forgotten. That slaughter and its coverup reveal an important truth about the American Army. Bravo Company killed between forty and a hundred innocent Vietnamese civilians on the morning of March 16, 1968. There was no Lieutenant Calley ordering other men to "waste them." There was no confrontation with a helicopter pilot, and no protesting over a radio network. My Lai 4 was out of the ordinary, but it was obviously not isolated. My Khe 4, however, was just another atrocity, and that atrocity was covered up—after its uncovering in the midst of the My Lai 4 investigation—by a lieutenant general and a Secretary of the Army unwilling or unable to face up to its meaning. There is a point, this suggests, at which even the generals and civilian officials of the Army, like the G.I.s involved in the massacres and like the innocent Vietnamese at My Lai 4 and My Khe 4, become victims.

—SEYMOUR M. HERSH

(This is the second of two articles on the Army's investigation of the Son My massacres.)

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QUEENS PREENING

THE thinness of texture of Robert Bolt's new play, "Vivat! Vivat Regina!," at the Broadhurst, amounts, at first or second glance, to a mystery—one that is heightened for us by the fact that the play has been sumptuously produced, with settings and costumes of royal splendor by Carl Toms, and is also exceptionally well acted by a large cast that includes Claire Bloom, Eileen Atkins, Douglas Rain, Lee Richardson, John Devlin, and Alexander Scourby. Moreover, the historic figures with which the anfractuous plot is concerned—Elizabeth Tudor, Mary Queen of Scots, John Knox, William Cecil, Bothwell, Darnley, Dudley, and the rest—are, on their grand sixteenth-century scale and in their documented eloquence, characters mouthwateringly melodramatic and enactable. Save for Equity rules, what actor would not gladly pay the producers for the chance to embody dour John Knox in evangelical eruption, or wily Cecil weaving a web of greatness about his Virgin Queen? If, then, we get an impression of skimpy make-believe instead of robust and tragic conflict among passionate, unscrupu-

lous mortals, the fault must lie with Mr. Bolt. Plainly, something has gone wrong, and I suspect that what has gone wrong has to do less with Mr. Bolt's talent than with his method; still, since method is a function of intelligence, in schoolmasterly fashion I rap a former schoolmaster over the knuckles for seeming always to take the easy way out. "Vivat! Vivat Regina!" is a pretty toy that imitates an engine of formidable size and complexity; given the materials at his disposal, the author owed it to us to provide the real thing and send it careering headlong into our emotions.

A decade ago, Mr. Bolt enjoyed a great success with his play "A Man for All Seasons," based on events taking place a generation or so before those we behold in "Vivat!" Subsequently, he wrote an excellent screenplay on the same subject, as well as screenplays for "Lawrence of Arabia," "Doctor Zhivago," and "Ryan's Daughter." It may be that his skill as a screenwriter is the spring that catches him when it comes to writing plays, for in movies one is, in Frost's phrase, "neither out far nor in deep," and a quick cross-cutting from

scene to scene, with a ripple of spare, lively dialogue to serve as a bridge from one episode to the next, keeps an audience continuously engaged and even, with luck, mesmerized. In a movie, as in a feat of magic, there is nearly always less than meets the eye, and this by intention; long stretches of a movie—for example, most of the glorious chase sequence in "The French Connection"—may lack content and be all the better for it, but no amount of ingenious scene-changing and witty stichomythy will conceal a lack of content in a play. One is astonished and dismayed when in "Vivat!" the prolonged international struggle for power that centered upon Mary and Elizabeth and that mingled (even for holy John Knox!) lust, treachery, bloodshed, and death becomes an occasion for courtly conversation and amorous byplay. The stupendous tale, which has the artistic advantage, rare in history, that every outrageous unlikelihood it contains is true and that only the likeliest event—a confrontation between the two Queens—failed to take place, is reduced to a richly upholstered Edwardian drawing-room comedy; we might be in the presence not of the first Elizabeth but of the second Mrs. Tanqueray.

I am sorry that Miss Bloom, Miss Atkins, Mr. Rain, and the remainder of the company have not had graver and nobler matter to exercise their skills upon, and I congratulate the director, Peter Dews, on making a long play march at a brisk and unfaltering pace.

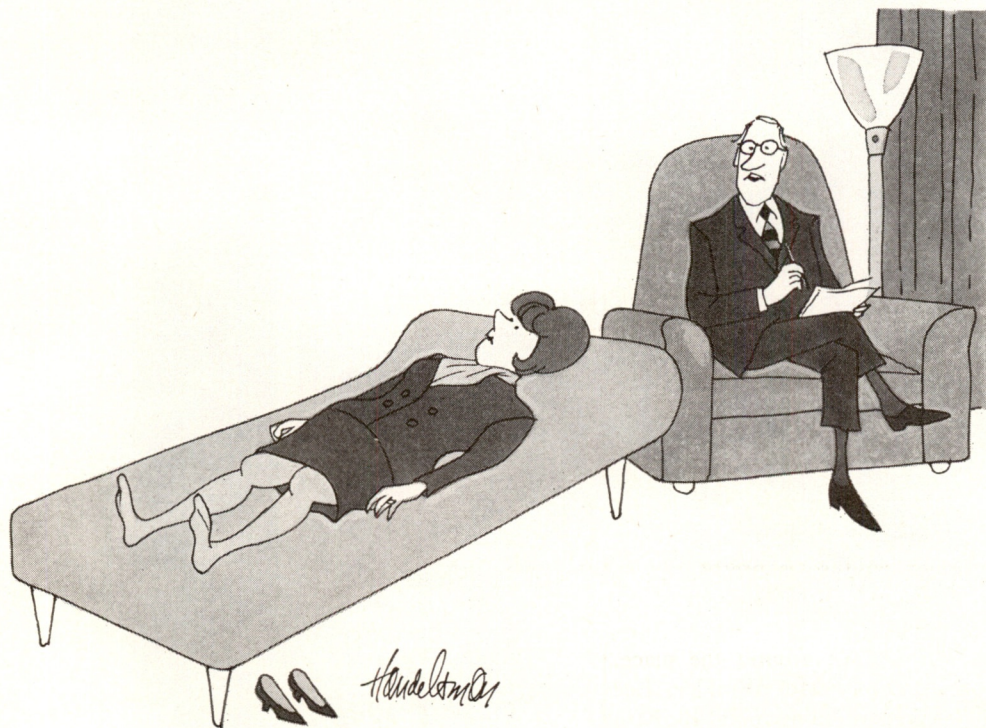
—BRENDAN GILL

OFF BROADWAY

Prisoner's Base

J E. GAINES is one of the best actors in the company at the Lafayette, in Harlem. His first play, "Don't Let It Go to Your Head," which opened last week at the Henry Street Playhouse, is so lively and accomplished that the only risk is that he will abandon acting altogether for writing, which would be a pity. The play is fascinating and believable right up to its insufferable final moment—a murderous gunshot that makes everything that came before it just an exercise in futility. At the time, I was outraged (along with everyone else in the audience; there are other, though perhaps tougher, ways to end a play), but the more I thought about it the more I realized that perhaps Mr. Gaines is right; I know nothing about the kind of life that he has so vividly exposed, and he appears to know everything.

Mr. Gaines' hero is a young black



"After all these years, you still feel guilt? You should be ashamed of yourself."